
ILLINOIS

REGISTER



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TABLE OF CONTENTS

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PROPOSED RULES

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF	
Licensing Standards for Day Care Homes	
89 Ill. Adm. Code 407.....	5542
EDUCATION, ILLINOIS STATE BOARD OF	
Agricultural Education Program	
23 Ill. Adm. Code 75.....	5545
HEALTHCARE AND FAMILY SERVICES, DEPARTMENT OF	
Medical Payment	
89 Ill. Adm. Code 140.....	5560
HIGHER EDUCATION, BOARD OF	
Nurse Educator Fellowship Program	
23 Ill. Adm. Code 1105.....	5562
NATURAL RESOURCES, DEPARTMENT OF	
General Hunting and Trapping on Department-Owned or -Managed Sites	
17 Ill. Adm. Code 510.....	5572
Nuisance Wildlife Control Permits	
17 Ill. Adm. Code 525.....	5580
Duck, Goose and Coot Hunting	
17 Ill. Adm. Code 590.....	5589
White-Tailed Deer Hunting By Use of Firearms	
17 Ill. Adm. Code 650.....	5634
White-Tailed Deer Hunting By Use of Bow and Arrow	
17 Ill. Adm. Code 670.....	5640
Special White-Tailed Deer Season for Disease Control	
17 Ill. Adm. Code 675.....	5660
Late-Winter Deer Hunting Season	
17 Ill. Adm. Code 680.....	5665
Youth Hunting Seasons	
17 Ill. Adm. Code 685.....	5670
The Taking of Wild Turkeys - Spring Season	
17 Ill. Adm. Code 710.....	5683
OFFICE OF THE SECRETARY OF STATE	
Statements of Economic Interests	
2 Ill. Adm. Code 565.....	5708
Business Corporation Act	
14 Ill. Adm. Code 150.....	5710
General Not For Profit Corporations	
14 Ill. Adm. Code 160.....	5712

Uniform Partnership Act (1997)	
14 Ill. Adm. Code 166.....	5714
Uniform Limited Partnership Act (2001)	
14 Ill. Adm. Code 171.....	5716
Limited Liability Company Act	
14 Ill. Adm. Code 178.....	5718
Uniform Commercial Code	
14 Ill. Adm. Code 180.....	5720
Court of Claims Regulations	
74 Ill. Adm. Code 790.....	5722
Merit Commission	
80 Ill. Adm. Code 50.....	5724
Procedures and Standards	
92 Ill. Adm. Code 1001.....	5726
Certificate of Titles, Registration of Vehicles	
92 Ill. Adm. Code 1010.....	5728
Issuance of Licenses	
92 Ill. Adm. Code 1030.....	5730
Rules of the Road - Person with Disabilities Parking Program	
92 Ill. Adm. Code 1100.....	5732

EMERGENCY RULES

CHILDREN AND FAMILY SERVICES, DEPARTMENT OF

Licensing Standards for Day Care Homes

89 Ill. Adm. Code 407.....	5734
----------------------------	------

HEALTHCARE AND FAMILY SERVICES, DEPARTMENT OF

Medical Payment

89 Ill. Adm. Code 140.....	5745
----------------------------	------

LABOR, DEPARTMENT OF

Six Day Week Law

56 Ill. Adm. Code 220.....	5775
----------------------------	------

OFFICE OF THE SECRETARY OF STATE

Statements of Economic Interests

2 Ill. Adm. Code 565.....	5782
---------------------------	------

Business Corporation Act

14 Ill. Adm. Code 150.....	5786
----------------------------	------

General Not For Profit Corporations

14 Ill. Adm. Code 160.....	5792
----------------------------	------

Uniform Partnership Act (1997)

14 Ill. Adm. Code 166.....	5796
----------------------------	------

Uniform Limited Partnership Act (2001)

14 Ill. Adm. Code 171.....	5800
----------------------------	------

Limited Liability Company Act

14 Ill. Adm. Code 178.....	5804
----------------------------	------

Uniform Commercial Code

14 Ill. Adm. Code 180.....	5809
Court of Claims Regulations	
74 Ill. Adm. Code 790.....	5815
Merit Commission	
80 Ill. Adm. Code 50.....	5820
Procedures and Standards	
92 Ill. Adm. Code 1001.....	5824
Certificate of Titles, Registration of Vehicles	
92 Ill. Adm. Code 1010.....	5831
Issuance of Licenses	
92 Ill. Adm. Code 1030.....	5839
Rules of the Road - Person with Disabilities Parking Program	
92 Ill. Adm. Code 1100.....	5847
SECOND NOTICES RECEIVED	
JOINT COMMITTEE ON ADMINISTRATIVE RULES	
Second Notices Received.....	5851
EXECUTIVE ORDERS AND PROCLAMATIONS	
EXECUTIVE ORDERS	
Executive Order In Response to COVID-19 (COVID-19 Executive Order No. 6)	
20 - 8.....	5852
Executive Order To Expand Telehealth Services and Protect Health Care Providers In Response to COVID-19 (COVID-19 Executive Order No. 7)	
20 - 9.....	5853
Executive Order In Response to COVID-19 (COVID-19 Executive Order No. 8)	
20 - 10.....	5857
Executive Order In Response to COVID-19 (COVID-19 Executive Order No. 9)	
20 - 11.....	5869

INTRODUCTION

The *Illinois Register* is the official state document for publishing public notice of rulemaking activity initiated by State governmental agencies. The table of contents is arranged categorically by rulemaking activity and alphabetically by agency within each category.

Rulemaking activity consists of proposed or adopted new rules; amendments to or repealers of existing rules; and rules promulgated by emergency or peremptory action. Executive Orders and Proclamations issued by the Governor; notices of public information required by State Statute; and activities (meeting agendas; Statements of Objection or Recommendation, etc.) of the Joint Committee on Administrative Rules (JCAR), a legislative oversight committee which monitors the rulemaking activities of State Agencies; is also published in the Register.

The Register is a weekly update of the Illinois Administrative Code (a compilation of the rules adopted by State agencies). The most recent edition of the Code, along with the Register, comprise the most current accounting of State agencies' rulemakings.

The *Illinois Register* is the property of the State of Illinois, granted by the authority of the Illinois Administrative Procedure Act [5 ILCS 100/1-1, et seq.].

ILLINOIS REGISTER PUBLICATION SCHEDULE FOR 2020

	Issue#	Rules Due Date	Date of Issue	
	1	December 23, 2019	January 3, 2020	
	2	December 30, 2019	January 10, 2020	
	3	January 6, 2020	January 17, 2020	
	4	January 13, 2020	January 24, 2020	
	5	January 21, 2020	January 31, 2020	
	6	January 27, 2020	February 7, 2020	
	7	February 3, 2020	February 14, 2020	
	8	February 10, 2020	February 21, 2020	
	9	February 18, 2020	February 28, 2020	
	10	February 24, 2020	March 6, 2020	
	11	March 2, 2020	March 13, 2020	
	12	March 9, 2020	March 20, 2020	
	13	March 16, 2020	March 27, 2020	
	14	March 23, 2020	April 3, 2020	
	15	March 30, 2020	April 10, 2020	
	16	April 6, 2020	April 17, 2020	
	17	April 13, 2020	April 24, 2020	
	18	April 20, 2020	May 1, 2020	
	19	April 27, 2020	May 8, 2020	
	20	May 4, 2020	May 15, 2020	
	21	May 11, 2020	May 22, 2020	

	22	May 18, 2020	May 29, 2020	
	23	May 26, 2020	June 5, 2020	
	24	June 1, 2020	June 12, 2020	
	25	June 8, 2020	June 19, 2020	
	26	June 15, 2020	June 26, 2020	
	27	June 22, 2020	July 6, 2020	
	28	June 29, 2020	July 10, 2020	
	29	July 6, 2020	July 17, 2020	
	30	July 13, 2020	July 24, 2020	
	31	July 20, 2020	July 31, 2020	
	32	July 27, 2020	August 7, 2020	
	33	August 3, 2020	August 14, 2020	
	34	August 10, 2020	August 21, 2020	
	35	August 17, 2020	August 28, 2020	
	36	August 24, 2020	September 4, 2020	
	37	August 31, 2020	September 11, 2020	
	38	September 8, 2020	September 18, 2020	
	39	September 14, 2020	September 25, 2020	
	40	September 21, 2020	October 2, 2020	
	41	September 28, 2020	October 9, 2020	
	42	October 5, 2020	October 16, 2020	
	43	October 13, 2020	October 23, 2020	
	44	October 19, 2020	October 30, 2020	
	45	October 26, 2020	November 6, 2020	
	46	November 2, 2020	November 13, 2020	
	47	November 9, 2020	November 20, 2020	
	48	November 16, 2020	November 30, 2020	
	49	November 23, 2020	December 4, 2020	
	50	November 30, 2020	December 11, 2020	
	51	December 7, 2020	December 18, 2020	
	52	December 14, 2020	December 28, 2020	

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Licensing Standards for Day Care Centers
- 2) Code Citation: 89 Ill. Adm. Code 407
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
407.500	New Section
407.505	New Section
407.510	New Section
407.515	New Section
407.520	New Section
407.525	New Section
- 4) Statutory Authority: 225 ILCS 10
- 5) A Complete Description of the Subjects and Issues Involved: Pursuant to the Governor's Executive Order 2020.10, all child care programs were ordered to be closed in the State of Illinois in order to confront the spread of the novel coronavirus. However, the State is mindful that child care is a critical service and is relied upon by front-line medical workers addressing the pandemic. In an effort to provide this critical support to front-line workers, medical staff, and all others critical to confronting the pandemic, DCFS is establishing Emergency Day Care Programs in the State of Illinois.
- 6) Published studies and reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
407.45	Amendment	43 Ill. Reg. 10634; September 27, 2020
407.250	Amendment	43 Ill. Reg. 10634; September 27, 2020
407.270	Amendment	43 Ill. Reg. 10634; September 27, 2020

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- 11) Statement of Statewide Policy Objective: This rulemaking does not create or expand the State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3(b)].
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Comments on this proposed rulemaking may be submitted in writing for a period of 45 days following publication of this Notice. Comments should be submitted to:

Jeff Osowski
Office of Child and Family Policy
Department of Children and Family Services
406 E. Monroe, Station #65
Springfield IL 62701-1498

217/524-1983
TDD: 217/524-3715
fax: 217/557-0692
DCFS.Policy@illinois.gov

The Department will consider fully all written comments on this proposed rulemaking submitted during the 45-day comment period. Comments submitted by small businesses should be identified as such.

- 13) Initial Regulatory Flexibility Analysis: The Department has determined that the proposed amendments will have an economic impact on small businesses.
- 14) Small Business Impact:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected:
- 81 Other Services (except Public Administration)
- B) Reporting, bookkeeping or other procedures required for compliance:
- i. hiring and additional staffing
 - ii. regulatory requirements
 - vi. equipment and material needs
 - vii. training requirements
 - viii. record keeping

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENTS

- C) Types of professional skills necessary for compliance: None
- 15) Regulatory Agenda on which this rulemaking was summarized: The rulemaking was not included on either of the 2 most recent regulatory agendas because the need for the rulemaking was not anticipated.

The full text of the Proposed Amendments is identical to the Emergency Amendments, which begins on page 5734.

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Agricultural Education Program
- 2) Code Citation: 23 Ill. Adm. Code 75
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
75.600	New Section
75.610	New Section
75.620	New Section
75.630	New Section
75.640	New Section
75.650	New Section
- 4) Statutory Authority: 105 ILCS 5/2-3.80d
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being modified to align with the enactment of PA 101-554, effective Aug. 23, 2019. PA 101-554 requires the State Board of Education, in consultation with the Illinois Board of Higher Education, to develop an Agricultural Education Pre-Service Teacher Internship Program, which would begin at the secondary education level and be designed for pre-service teaching students. The internship program aims to increase the content knowledge of future agriculture teachers in a field that requires a broad breath of knowledge. The internship experience would allow pre-service teachers to engage in real-world, practical application of concepts and theory through pre-service university coursework. The funds allocated for the program would be provided to an individual or entity awarded the grant through a competitive Request for Proposals process to be the grant program coordinator.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking will not create or enlarge a State Mandate.

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Written comments may be submitted within 45 days of the publication of this Notice to:

Azita Kakvand
Illinois State Board of Education
100 North First Street
Springfield IL 62777-0001

217/782-6510
rules@isbe.net

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) This rulemaking was not included on the most recent Regulatory Agenda: This rulemaking was not anticipated at the time the Regulatory Agenda was filed.

The full text of the Proposed Amendments begins on the next page:

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER I: STATE BOARD OF EDUCATION

SUBCHAPTER b: PERSONNEL

PART 75

AGRICULTURAL EDUCATION PROGRAM

SUBPART A: INCENTIVE GRANTS FOR AGRICULTURAL
SCIENCE TEACHER EDUCATION

Section

75.10	Purpose and Applicability
75.20	Eligible Applicants
75.30	Application Procedure
75.40	Program Specifications; Allowable Expenditures
75.50	Criteria for the Review of Proposals; Allocation of Funds

SUBPART B: INCENTIVE GRANTS FOR SECONDARY AGRICULTURAL EDUCATION

Section

75.200	Purpose and Applicability
75.210	Eligible Applicants
75.220	Program Goals and Minimum Standards
75.230	Quality Indicators
75.240	Determination of Individual Grant Allocations
75.250	Application Procedure
75.260	Terms of the Grant

SUBPART C: INCENTIVE GRANTS FOR AGRICULTURAL
TEACHER PREPARATION PROGRAMS

Section

75.300	Purpose and Eligible Applicants
75.310	Program Goals and Minimum Standards
75.320	Quality Indicators
75.330	Determination of Individual Grant Allocations
75.340	Application Procedure
75.350	Terms of the Grant

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

SUBPART D: FACILITATING THE COORDINATION OF AGRICULTURAL EDUCATION

Section

75.400	Purpose and Objectives
75.410	Eligible Applicants
75.420	Application Procedure for Initial Proposals
75.430	Criteria for the Review of Initial Proposals; Allocation of Funds
75.435	Application Content and Approval for Continuation Programs
75.440	Terms of the Grant

SUBPART E: AGRICULTURAL EDUCATION TEACHER
THREE CIRCLE GRANT PROGRAM (FFA and SAE)

Section

75.500	Definitions
75.510	Purpose and Objectives
75.520	Eligible Applicants
75.530	Application Procedure
75.540	Allocation of Funds
75.550	System for Reporting Hours
75.560	Terms of the Grant

SUBPART F: AGRICULTURAL EDUCATION
PRE-SERVICE TEACHER INTERNSHIP PROGRAMSection

<u>75.600</u>	<u>Definitions</u>
<u>75.610</u>	<u>Purpose and Applicability</u>
<u>75.620</u>	<u>Eligible Applicants</u>
<u>75.630</u>	<u>Implementation Grants – Procedures and Content of Proposals</u>
<u>75.640</u>	<u>Criteria for Review and Approval of Implementation Proposals</u>
<u>75.650</u>	<u>Application Content and Approval Criteria for Continuation Programs</u>
<u>75.660</u>	<u>Terms of the Grant</u>

AUTHORITY: Implementing Sections 2-3.80, 2-3.80a and 2-30b of the School Code and authorized by Section 2-3.6 of the School Code [105 ILCS 5].

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

SOURCE: Adopted at 32 Ill. Reg. 19170, effective November 26, 2008; amended at 35 Ill. Reg. 16839, effective September 29, 2011; amended at 36 Ill. Reg. 18903, effective December 17, 2012; amended at 37 Ill. Reg. 15932, effective September 27, 2013; amended at 41 Ill. Reg. 14099, effective November 3, 2017; amended at 44 Ill. Reg. _____, effective _____.

SUBPART F: AGRICULTURAL EDUCATION
PRE-SERVICE TEACHER INTERNSHIP PROGRAM

Section 75.600 Definitions

"ACTE" means the Association of Career and Technical Education.

"Illinois Agricultural Company" means any company in this State that has an interest in the agricultural industry, as determined by the pre-service teaching student's public university.

"Pre-service Teaching Student" means a student who:

is a declared agricultural education major accepted into an approved agricultural teacher education program at a public university in this State;

has completed at least 30 credit hours; and

has maintained, at a minimum, a 2.5 cumulative grade point average on a 4.0 scale or its equivalent.

"School Code" or "Code" means the Illinois School Code [105 ILCS 5].

(Source: Added at 44 Ill. Reg. _____, effective _____)

Section 75.610 Purpose and Applicability

The goal of the Agricultural Education Pre-Service Teacher Internship Program is to address the shortages experienced by middle school and secondary agricultural education programs in this State by contributing to a highly qualified and effective agricultural education candidate pool that is sufficient in size to meet the workforce need.

- a) This Subpart establishes the procedures and criteria for the approval of proposals submitted to the State Board of Education by eligible applicants for grants to

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

establish programs to assist pre-service teaching students in acquiring paid experience in the agricultural industry. The Agricultural Education Pre-Service Teacher Internship Program shall:

- 1) offer, at a minimum, an 8-week experience or 300 hours of experience to prepare the pre-service teaching student for in-classroom experiences, including, but not limited to, experiences aligned to the pathways found within the Association of Career and Technical Education (ACTE) cluster for Agriculture, Food, and Natural Resources;
 - 2) include both in-classroom lectures and hands-on, applied learning;
 - 3) be articulated with coursework at each of the agricultural teacher preparation institutions offering teacher licensure in agriculture in this State; and
 - 4) make a commitment to equity to pre-service teaching students across all agriculture teacher preparation institutions in this State.
- b) This Subpart does not apply to a school district or postsecondary institution that receives funding for agricultural education programs under Section 1D-1 of the School Code or to any entity that receives a grant from that school district for agricultural education programs funded under Section 1D-1 of the Code.

(Source: Added at 44 Ill. Reg. _____, effective _____)

Section 75.620 Eligible Applicants

- a) An eligible applicant for the Agricultural Education Pre-Service Teacher Internship Program Grant shall be a partnership consisting of:
- 1) one or more educational entities serving elementary and secondary schools, including, but not limited to, school districts, private schools, or Regional Offices of Education or one or more community-based organizations that provide agricultural education programs or related services, such as technical assistance or professional development, to agricultural education programs and practitioners; and

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 2) one or more postsecondary institutions that offer postsecondary credit-bearing internship programs.
- b) The partnership established under subsection (a) must designate one entity to serve as the administrative agent for the grant.
- c) Preference for funding must be provided to eligible applicants whose programs:
 - 1) recruit pre-service teachers in agricultural education from all institutions of higher education offering accredited programs with teacher licensure in agricultural education;
 - 2) are articulated to offer course credit for the internship experience at both the:
 - A) undergraduate level at each institution of higher education offering accredited programs with teacher licensure in agricultural education; and
 - B) graduate level at each institution of higher education offering accredited programs with teacher licensure in agricultural education at the post-baccalaureate level; and
 - 3) target Illinois agricultural companies, as defined in Section 75.600, who will provide the pre-service teacher intern with both breadth and depth of high-quality experiences in one or more agricultural industries. Priority will be given to programs that additionally focus efforts in recruiting Illinois agricultural companies that:
 - A) are not currently or have not been engaged in formal internship programs with postsecondary institutions in the previous fiscal year;
 - B) are located in Illinois communities that have hired at least one provisionally licensed agricultural education teacher within the previous three years; or
 - C) are located in Illinois communities that have experienced annual teacher turnover for at least the two previous consecutive years.

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

(Source: Added at 44 Ill. Reg. _____, effective _____)

Section 75.630 Implementation Grants – Procedures and Content of Proposals

Implementation grants shall be offered in years when the level of available funding is such that one or more new partnerships may be funded or, for partnerships already funded, a new group of individuals may be supported in addition to the group of candidates already enrolled.

- a) When sufficient funding is available, the State Superintendent of Education shall issue a Request for Proposals (RFP) specifying the information that an applicant must include in its implementation proposal, informing an applicant of any bidders' conferences, and requiring that proposals be submitted no later than the date specified in the RFP. The RFP must provide at least 45 calendar days in which to submit proposals.
- b) Each proposal submitted in response to an RFP must include all of the following components:
 - 1) Descriptive information about each entity involved in the partnership, including the roles and responsibilities of each partner.
 - A) The postsecondary institution must indicate specific information about the institution's success in facilitating internship programming that is credit-bearing for postsecondary students, particularly in areas serving each of the career pathways aligned to the ACTE cluster for Agriculture, Food, and Natural Resources.
 - B) The community-based organization or nonpublic educational entity must include its mission statement, organizational structure, and goals or policies regarding internships, adult learning, or agricultural education programs and services, including the applicant's existing competencies to provide agricultural internship programs, if applicable, and a list of any education-related accreditations that have been achieved.
 - 2) The goals and objectives of the partnership in ensuring a program that is successful and sustainable.

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 3) A description of the need for the program, which must include all of the following:
- A) Information about the deficiencies and needs of current pre-service agricultural education teachers with respect to experiences, skills, and knowledge of each of the career pathways aligned to the ACTE cluster for Agriculture, Food, and Natural Resources.
 - B) Information about the agricultural industry careers that are identified as in-demand or upcoming for Illinois.
- 4) A description of the program to be implemented, which must include all of the following information:
- A) The partnership's plans for recruiting and providing support to individuals enrolled in the program, including working with internship employers to ensure that the individuals are able to fully participate in the program.
 - B) Strategies that will be employed to ensure that individuals enrolled in the program are adequately prepared to successfully progress through the program. These strategies must include, but are not limited to, assistance to ensure each intern understands and is able to conform with the employment conditions and expectations set forth by the employer and facilitate any reasonable accommodations needed to ensure intern success.
 - C) Coursework and experiences needed to complete the program, which must include the length of the program and sample schedules.
 - D) Identification of potential sites where agricultural internships will occur.
 - E) Expectations for candidates' performance levels needed to continue their participation in the program.
 - F) Considerations for the methods of program-related payments to be made, including to employers and interns, taxes, and insurance.

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 5) A plan for evaluating the impact of the proposed program and activities, which shall correspond to the applicable specifications set forth in the RFP.
- 6) Budget information that corresponds to the categories of allowable expenditures identified in the RFP, completed on the forms provided and detailing each line item of expenditure. The budget information shall cover the entire period of time during which the proposed group of candidates is expected to participate in the internship program.
 - A) Applicants must demonstrate that grant funds will supplement and not supplant amounts typically devoted by the institution of higher education to, and other resources available for, assisting teacher candidates.
 - B) If necessary due to the budget exceeding grant funds available, applicants must describe the steps that will be taken, if any, to secure additional financial support for the partnership and its program over a period of time.
- 7) Any certifications and assurances the State Superintendent of Education may require.

(Source: Added at 44 Ill. Reg. _____, effective _____)

Section 75.640 Criteria for Review and Approval of Implementation Proposals

- a) Proposals for implementation grants must be evaluated in accordance with the following criteria.
 - 1) Quality of Proposed Program
 - A) The proposal demonstrates that:
 - i) coursework and experiences required for internship completion will be scheduled and located so that it is accessible to all candidates;

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- ii) supportive services that have been identified as necessary, including assistance for housing and child care, will be offered to enable all candidates to complete the internship program;
 - iii) a cohort model will be established with whole-group orientation, individual or small team work-based learning, and debriefing experiences; and
 - iv) employer education and support will be provided in administering an internship and providing for interns.
- B) The proposal establishes a timetable and strategies for the administration and implementation of the program, to include, but not be limited to, all of the following:
 - i) Recruitment of interns.
 - ii) Recruitment of employers to offer internships.
 - iii) Coordination of articulation agreements with four-year institutions offering course credit for the internship.
 - iv) Internship induction programming.
 - v) Capstone presentations and program conclusion.
- C) The proposal establishes a timetable or performance level for candidates as a condition for their continued receipt of assistance during the internship program.
- D) The proposal includes plans for assisting interns in tapping sources of financial aid beyond those made available under this Subpart and by the members of the partnership.
- E) The plan of work for the program includes effective strategies for overcoming known barriers faced by the interns.

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

F) The evaluation plan is designed to yield information that can be used both in judging the program's qualitative and quantitative impact and in identifying changes or new approaches that will improve the program's outcomes.

2) Program Need

A) Identification of deficiencies and needs of current pre-service agricultural education teachers with respect to experiences, skills, and knowledge of each of the career pathways aligned to the ACTE cluster for Agriculture, Food, and Natural Resources.

B) Identification of the agricultural industry careers that are identified as in-demand or upcoming for Illinois.

C) Criteria and indicators for identifying individuals to be enrolled in the program are clearly established and likely to target those individuals who have the greatest need for development of competency in one or more areas of the agricultural industry.

D) The recruitment strategies that are proposed are likely to be effective in enrolling the individuals in the program, particularly individuals who reflect the diversity of the students participating in accredited programs for agricultural education teacher licensure at postsecondary institutions in Illinois.

3) Experience and Qualifications

A) The proposal demonstrates that the postsecondary institution has the capacity, including faculty and other resources, to serve the group of individuals to be enrolled in its agricultural education internship program.

B) The proposed roles and responsibilities of each entity that is a member of the partnership are appropriate, given the entity's qualifications, experience with adult learning and agricultural education initiatives and services, and the resources that each will devote to the program.

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- C) The proposal demonstrates that the community organization or educational entity is familiar with the needs of postsecondary internship programs, specifically the needs of agricultural internship programs, and has the capacity to recruit individuals for the program and support those individuals as they progress through the program.
- 4) Cost Effectiveness
- A) The program is cost effective, as evidenced by the cost of proposed services in relation to the individuals to be enrolled and the services to be provided.
- B) The proposal describes commitments on the part of all the partnership's members that will enable the partnership to obtain additional funding for the program if budgetary requirements exceed grant funded amounts.
- b) Priority consideration may be given to proposals with specific areas of emphasis, as identified by the State Superintendent of Education, in a particular RFP.
- c) The State Superintendent of Education shall determine the amount of individual grant awards. The final award amounts shall be based upon the following:
- 1) the total amount of funds available for the Agricultural Education Pre-Service Teacher Internship Program; and
- 2) the resources requested in the top-ranked proposals, as identified under subsections (a) and (b).

(Source: Added at 44 Ill. Reg. _____, effective _____)

Section 75.650 Application Content and Approval Criteria for Continuation Programs

- a) A partnership that has received implementation funding for a given fiscal year is subject to the requirements of this Section with respect to continued funding for subsequent years.

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 1) The partnership must submit an application for continued funding for subsequent cohorts, using a format specified by the State Superintendent of Education.
 - 2) Each application must contain a mid-year report on the current status of the program that includes, but is not limited to, the following:
 - A) documentation of the activities and support provided to date;
 - B) a description of tentative enrollment for the upcoming internship program;
 - C) progress on credit articulation agreements;
 - D) progress on gaining employer commitments to participate in the program;
 - E) follow-up data collected on previous cohort participants; and
 - F) progress on completion of needs assessment for subsequent years.
 - 3) Each application must provide an updated narrative description of the objectives, activities, timelines, and evaluation procedures for the renewal year, relating the proposed plan of work to the results that have been achieved to date.
 - 4) Each application must include updated budget information for the renewal year, including a detailed budget breakdown, that describes any needed variances from the budget proposed in the initial year of funding.
 - 5) Each application must include any certifications or assurances the State Superintendent of Education may require.
- b) The State Superintendent of Education shall, contingent upon appropriation of funds for this initiative, provide continuation funding to a partnership that demonstrates all of the following:
- 1) Success in providing the supports necessary for satisfactory program completion by interns in the program.

ILLINOIS STATE BOARD OF EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 2) That a majority of the candidates in the cohorts have completed coursework or other requirements for educator licensure during at least one semester of the following year, have progressed toward educator licensure, or are subsequently employed as an agricultural educator.

(Source: Added at 44 Ill. Reg. _____, effective _____)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3)

<u>Section Number:</u>	<u>Proposed Action:</u>
140.403	Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Complete Description of the Subjects and Issues Involved: This proposed amendment significantly broadens telehealth rules to accommodate new places of service and means of engagement and communication during the COVID-19 public health emergency.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? Yes

<u>Section Number:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
140.442	Amendment	44 Ill. Reg. 4288; March 20, 2020
- 11) Statement of Statewide Policy Objective: This proposed rulemaking significantly broadens the telehealth program rules to accommodate new places of service and means of engagement and communication. This rulemaking does not require local governments to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues. It is the intent of this rulemaking to allow medical assistance providers to use existing and readily available technology and communications systems to deliver care, therefore broadening coverage and encouraging increased access to care.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking: Any interested parties may submit comments, data, views, or arguments

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF PROPOSED AMENDMENT

concerning this proposed rulemaking. All comments must be in writing and should be addressed to:

Steffanie Garrett
General Counsel
Illinois Department of Healthcare and Family Services
201 South Grand Avenue East, 3rd Floor
Springfield IL 62763-0002

HFS.Rules@illinois.gov

The Department requests the submission of written comments within 45 days after the publication of this Notice. The Department will consider all written comments it receives during the first notice period as required by Section 5-40 of the Illinois Administrative Procedure Act [5 ILCS 100/5-40].

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not anticipated at the time the last Regulatory Agenda was published.

The full text of the Proposed Amendment is identical to the Emergency Amendment that begins on page 5745.

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Nurse Educator Fellowship Program
- 2) Code Citation: 23 Ill. Adm. Code 1105
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
1105.200	Amendment
1105.300	Amendment
1105.400	Amendment
1105.500	Amendment
1105.600	Amendment
1105.700	Amendment
1105.800	New Section
- 4) Statutory Authority: Implementing and authorized by Section 9.32 of the Board of Higher Education Act [110 ILCS 205/9.32].
- 5) A Complete Description of the Subjects and Issues Involved: The proposed actions incorporate the requirements of the Grants Accountability and Transparency Act (GATA). This includes adding new terminology and referencing the GATA rules for uniform grant application, risk assessment using prior performance, recipient qualification, uniform grant agreement, audit standards, and post-award requirements. In addition, the proposed amendments help to address questions raised by nursing schools about the requirements to nominate a faculty member, the factors used by Board staff to recommend Fellows, and the responsibilities of the institution and Fellow. The Board staff have consulted with the Illinois Nursing Workforce Center regarding these proposed amendments and the Center concurs with the proposed actions. These proposed actions do not change this successful program.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- 11) Statement of Statewide Policy Objective: The proposed rulemaking does not create or expand a State mandate as defined in Section 3(b) of the State Mandates Act [30 ILCS 805/3].
- 12) Time, Place and Manner in which interested persons may comment on this proposed rulemaking: Comments should be filed, within 45 days after the date of this issue of the *Illinois Register*, with:

Karen Helland, Administrative Rules Coordinator
Illinois Board of Higher Education
1 N. Old State Capitol Plaza, Suite 333
Springfield IL 62701-1377

217/557-7358
fax: 217/782-8548
helland@ibhe.org
- 13) Initial Regulatory Flexibility Analysis:
 - A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: No adverse impact
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2019

The full text of the Proposed Amendments begins on the next page:

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

TITLE 23: EDUCATION AND CULTURAL RESOURCES

SUBTITLE A: EDUCATION

CHAPTER II: BOARD OF HIGHER EDUCATION

PART 1105

NURSE EDUCATOR FELLOWSHIP PROGRAM

Section

1105.100	Purpose of the Nurse Educator Fellowship Program
1105.200	Definitions
1105.300	Fellow Eligibility
1105.400	Nomination Process
1105.500	Approval Process
1105.600	Awards
1105.700	Fellow Responsibilities
1105.800	Post-Award Requirements

AUTHORITY: Implementing and authorized by Section 9.32 of the Board of Higher Education Act [110 ILCS 205].

SOURCE: Emergency rules adopted at 30 Ill. Reg. 14363, effective August 16, 2006, for a maximum of 150 days; adopted at 30 Ill. Reg. 19523, effective December 5, 2006; amended at 44 Ill. Reg. _____, effective _____.

Section 1105.200 Definitions

["Act" means the Board of Higher Education Act \[110 ILCS 205\].](#)

"Board" means the Board of Higher Education.

"Institution of Higher Learning" means a public or [not-for-profit](#) nonpublic institution of higher education located within Illinois that offers associate, baccalaureate or post-baccalaureate degrees and that is authorized to operate in the State.

"Eligible Institution" means an institution of higher learning in Illinois with a [pre-licensure registered professional](#) nursing program approved by the Illinois Department of Financial and Professional Regulation and accredited by the Commission on Collegiate Nursing Education (CCNE) or the [Accreditation](#)

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Commission for Education in Nursing, Inc. (ACEN)~~National League for Nursing Accrediting Commission (NLNAC).~~

"Fellow" means an individual who receives Fellowship assistance under this Program.

"Fellowship" means the *competitive award that supplements nursing faculty salaries to ensure the retention of well-qualified nursing faculty.* [110 ILCS 205/9.32]

"Fiscal Year" means the period of July 1 to June 30 of the following year.

"GATA" means the Grant Accountability and Transparency Act [30 ILCS 708]. GATA rules are cross-referenced in this Part.

"GATA Rule" means 44 Ill. Adm. Code 7000.

"GATU" means the Grant Accountability and Transparency Unit within the Illinois Governor's Office of Management and Budget.

"Illinois Nursing Workforce Center" means the center established within the Illinois Department of Financial and Professional Regulation to address issues of supply and demand in the nursing profession, including issues of recruitment, retention, and utilization of nurse manpower resources. [225 ILCS 65/75-10]

"Illinois Resident" means an individual who resides in the State of Illinois and is considered to be a resident by the Illinois Department of Revenue or Illinois Secretary of State.

"Indirect Facilities and Administrative Costs" means those costs incurred for a common or joint purpose benefitting more than one cost objective, and not readily assignable to the cost objectives specifically benefitted without effort disproportionate to the results achieved.

"Nominating Institution" means an eligible institution that has submitted Fellowship nomination materials on behalf of a nursing faculty member at its institution.

"Program" means the Nurse Educator Fellowship Program required by Section

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

9.32 of the Act and this Part.

"Qualified Applicant" means a nursing faculty member, nominated by an eligible institution, who meets the requirements of Section 1105.300.

"Recipient Institution" means the eligible institution that receives a Fellowship directly from the Board on behalf of the Fellow.

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 1105.300 Fellow Eligibility

A qualified applicant must:

- a) be an Illinois resident;
- b) have a minimum of a master's degree in nursing;
- c) be employed in a full-time nursing faculty position at an eligible institution;
- d) have been employed by the nominating institution in a teaching position preparing registered professional nurses for a minimum of 12 months prior to submission of nomination materials;
- e) have made significant contributions to the nursing program; and
- f) have not received a Fellowship under this Program within the past 5 years.

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 1105.400 Nomination Process

- a) Eligible institutions will be notified by the Board when funding opportunities and nomination materials for the Nurse Educator Fellowship Program are available.
- b) Nomination materials may be obtained from the Illinois Board of Higher Education, 1 N. Old State Capitol Plaza, Suite 333431 East Adams Street, Second Floor, Springfield, Illinois 62701-1404 or the Board's website at www.ibhe.org.

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

- c) Nominations from eligible institutions are limited to no more than 3 full-time nursing faculty members per campus annually.
- d) The chief nursing administrator at an eligible institution shall identify and nominate qualified applicants for the Fellowship by completing the nomination form included in the nomination materials.
- e) The nominee must complete the personal statement section of the nomination materials, indicating: his or her
 - 1) intent to remain employed as a nursing faculty member with the nominating institution; in the State and
 - 2) the his or her anticipated use of Fellowship funds.
- f) The nomination materials must include the Uniform Grant Application provided by GATU (see GATA Rule Section 7000.330) and be signed by the authorized representative ~~chief executive officer~~ of the nominating institution.
- g) Completed nomination materials in accordance with subsections (d), (e) and (f) ~~of this Section~~ must be submitted to the Board by the announced deadline, which shall not be less than 45 days after ~~from~~ the announcement and release of nomination materials.

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 1105.500 Approval Process

- a) The Board shall accept nominations for Fellowships in accordance with Section 1105.400.
- b) Board staff shall review nominations to ensure the eligibility requirements are met in accordance with Section 1105.300.
- c) Board staff shall make recommendations to the Board for approval of Fellowships based upon factors that shall include, but are not limited to, the following:
 - 1) Strength of the nomination by the chief nursing administrator and the nominee's personal ~~Personal~~ statement regarding proposed use of funds

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

and employment plans;

- 2) Major accomplishments of the nominee, such as research, program improvements, and other nursing program contributions;
 - 3) Statewide geographic distribution of Fellowship recipients; ~~and~~
 - 4) Distribution of Fellowship recipients among the degree levels and sectors of eligible institutions that nominate qualified applicants for the program; and
 - 5) Tenure status (preference will be given to tenured/tenure-track faculty).
- d) For a nominating institution that is a prior fiscal agent of an award under this Part, the Board staff shall review available information on the institution's prior performance and consider that information when assessing institution risk. This is part of the grantee risk assessment required by GATU (see GATA Rule Section 7000.340).
- e) Upon Board approval, Fellowships can be made to the nominating institution, on behalf of the Fellow.

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 1105.600 Awards

- a) The amount of the Fellowship shall be no greater than \$10,000.
- b) The number of Fellowships awarded in a given fiscal year is contingent upon available funding.
- c) If, for any reason, the appropriation to the Board is insufficient to fund Fellowships for all selected Fellows in accordance with subsection (a) ~~of this Section~~, all Fellowships shall be reduced pro rata as necessary.
- d) The purpose of the Fellowship is to enhance retention of well-qualified faculty by providing a salary supplement. At the discretion of the Fellow, funds may be used for, but are not limited to, professional development, conference expenses, continued education, professional dues, and other activities as defined in Section

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

1105.700.

- e) The Fellow and the nominating institution shall be notified of the award in writing upon approval by the Board.
- f) Fellowship funds may not be expended except pursuant to a Grant Agreement. Disbursement of funds without a Grant Agreement is prohibited.
- g) Board staff shall verify that the recipient institution is registered with GATA, has completed a prequalification process, and has been determined qualified by GATU (see GATA Rule Section 7000.70).
- h) The Board shall enter into a Grant Agreement with a qualified recipient institution using the Uniform Grant Agreement provided by GATU (see GATA Rule Section 7000.370).
- i) Upon Board approval and verification of employment by the recipient institution, funds ~~will~~shall be disbursed to the recipient~~nominating~~ institution on behalf of the Fellow.
- j) The recipient institution shall:
 - 1) Serve as fiscal agent for the Board and receive the Fellowship funds on behalf of the Fellow;
 - 2) Use~~must use~~ the Fellowship funds to supplement the salary of the Fellow. The Funds~~and~~ shall not supplant other revenue sources that support faculty salaries;-
 - 3) Pay the Fellow in either a lump sum or installment plan in accordance with institutional payroll policies and procedures; and
 - 4) Not deduct indirect facilities or administrative costs from the Fellowship award.
- h) ~~Fellowship funds are payable to the Fellow in either a lump sum or installment plan in accordance with institutional payroll policies and procedures.~~
- k) If the Fellow terminates employment with the recipient institution within 6

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

months after award notification from the Board:

- 1) The Fellow shall repay the funds awarded to date. These funds shall be remitted to the BoardState for deposit in the General Revenue Fund.
 - 2) Fellows are not entitled to funds not yet paid by the institution. The recipient institution must remit any unused portion of the Fellowship to the BoardState for deposit in the General Revenue Fund.
- j) ~~Any interest earned on Fellowship funds by the institution may be retained by the institution when the cost of accounting for the interest or allocating interest to principal is deemed significant in terms of the amount of interest to be received.~~

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 1105.700 Fellow Responsibilities

- a) As a condition for acceptance of the Fellowship, the Fellow shall agree ~~in the application form to participate~~ to be actively involved in statewide nursing advocacy, including participation as needed in the following activities:
 - 1) Collaboration with the Board and Illinois Nursing Workforce Center ~~for Nursing~~ regarding statewide nursing issues, as needed and with approval from the recipient institution's chief nursing administrator;
 - 2) The Fellowship recognition ceremony hosted by the Illinois Nursing Workforce Center and Board; and Review of Fellowship nomination materials in subsequent years to assist the Board in Fellowship determination; and
 - 3) Participation in Fellowship meetings or associated conferences sponsored by the Board or Illinois Nursing Workforce Center when attendance is approved by the recipient institution's chief nursing administrator ~~for Nursing~~.
- b) If the Fellow terminates employment with the recipient institution within 6 months after award notification from the Board, the Fellow shall repay the funds awarded to date. The Fellow or recipient institution shall contact the Board regarding the appropriate manner to remit the funds for deposit in the General

BOARD OF HIGHER EDUCATION

NOTICE OF PROPOSED AMENDMENTS

Revenue Fund.

- c) Provide a final report ~~to the nominating institution~~ describing Fellowship experiences, including the use of funds. The ~~Fellow~~~~nominating institution~~ shall submit the report to the nominating institution, the Illinois Nursing Workforce Center, and the Board on behalf of the Fellow.

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 1105.800 Post-Award Requirements

- a) Recipient institutions are subject to the Auditing Standards required by GATU (see GATA Rule Section 7000.90).
- b) Except as otherwise provided in this subsection (b), the recipient institution shall submit a financial report to the Board within 30 calendar days following the payment of the Fellowship to the Fellow. The report shall include the Fellow's name, recipient institution's name, date of payment, and amount of Fellowship award after payroll deductions. When the Fellowship award is split into more than one payment, a report must be submitted within 30 calendar days after each payment.
- c) The recipient institution shall take the following actions to complete grant closeout at the end of the fiscal year. (See GATA Rule Section 7000.440.)
- 1) Promptly refund any balances of unobligated cash that the Board paid in advance. Refunds shall be returned to the Board within 45 days after the end of the fiscal year.
 - 2) Expend any encumbered grant funds during a lapse period of 60 days past the end of the fiscal year. Any encumbered but unexpended grant funds remaining at the end of the lapse period shall be returned to the Board within 45 days.

(Source: Added at 44 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: General Hunting and Trapping on Department-Owned or -Managed Sites
- 2) Code Citation: 17 Ill. Adm. Code 510
- 3) Section Number: 510.10 Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 1.13, 1.20, 2.1, 2.2, 2.6, 2.7, 2.9, 2.13, 2.18, 2.20, 2.24, 2.25, 2.26, 2.27, 2.28, 2.30, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5/1.2, 1.3, 1.4, 1.13, 1.20, 2.1, 2.2, 2.6, 2.7, 2.9, 2.13, 2.18, 2.20, 2.24, 2.25, 2.26, 2.27, 2.28, 2.30, 2.33 and 3.5] and by Section 805-515 of the Civil Administrative Code of Illinois [20 ILCS 805/805-515].
- 5) A Complete Description of the Subjects and Issues Involved: This Part will be amended to add language to describe an electronic check-in system that will be piloted on State-owned sites that already require hunters to sign-in/sign-out during each visit.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

John Heidinger, Legal Counsel
Department of Natural Resources
One Natural Resources
Springfield IL 62702

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

217/557-6379

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2020

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFE

PART 510
GENERAL HUNTING AND TRAPPING ON
DEPARTMENT-OWNED OR -MANAGED SITES

Section

510.10 General Site Regulations

510.20 Hunting and Trapping by Special Permit

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 1.13, 1.20, 2.1, 2.2, 2.6, 2.7, 2.9, 2.13, 2.18, 2.20, 2.24, 2.25, 2.26, 2.27, 2.28, 2.30, 2.33 and 3.5 of the Wildlife Code [520 ILCS 5] and by Section 805-515 of the Civil Administrative Code of Illinois [20 ILCS 805].

SOURCE: Adopted at 5 Ill. Reg. 8011, effective July 24, 1981; codified at 5 Ill. Reg. 10633; amended at 6 Ill. Reg. 9637, effective July 21, 1982; amended at 7 Ill. Reg. 10775, effective August 24, 1983; amended at 8 Ill. Reg. 13700, effective July 24, 1984; amended at 9 Ill. Reg. 11610, effective July 16, 1985; amended at 10 Ill. Reg. 15597, effective September 16, 1986; amended at 11 Ill. Reg. 9535, effective May 5, 1987; amended at 12 Ill. Reg. 11724, effective June 30, 1988; amended at 13 Ill. Reg. 10583, effective June 19, 1989; amended at 14 Ill. Reg. 14762, effective September 4, 1990; amended at 15 Ill. Reg. 9966, effective June 24, 1991; amended at 16 Ill. Reg. 11064, effective June 30, 1992; amended at 17 Ill. Reg. 10775, effective July 1, 1993; amended at 19 Ill. Reg. 10608, effective July 1, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 22 Ill. Reg. 14804, effective August 3, 1998; amended at 24 Ill. Reg. 8923, effective June 19, 2000; emergency amendment at 28 Ill. Reg. 13809, effective October 1, 2004, for a maximum of 150 days; amended at 29 Ill. Reg. 1364, effective January 10, 2005; amended at 30 Ill. Reg. 12126, effective June 28, 2006; amended at 37 Ill. Reg. 3068, effective March 4, 2013; amended at 38 Ill. Reg. 22714, effective November 18, 2014; amended at 39 Ill. Reg. 10897, effective July 27, 2015; amended at 41 Ill. Reg. 8468, effective June 28, 2017; amended at 42 Ill. Reg. 13049, effective June 22, 2018; amended at 44 Ill. Reg. _____, effective _____.

Section 510.10 General Site Regulations

- a) Regulations

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- 1) All the regulations cited in this Part apply to all Department species rules, unless the species rule is more restrictive.
 - 2) The legal possession of a concealed firearm by a validly licensed concealed carry licensee (see 430 ILCS 66) is allowed within designated areas as defined in subsection (b)(2), subject to Section 2.33 of the Wildlife Code on illegal devices and State refuges, the prohibitions set forth in Section 65 of the Firearm Concealed Carry Act and any applicable federal regulations. Violation is a Class B misdemeanor (see 520 ILCS 5/2.33), except that violation of Section 2.33(g), (i), (o), (p), (y) and (cc) are Class A misdemeanors with a minimum \$500 fine and a maximum \$5,000 fine, in addition to other statutory penalties. Nothing in this Part shall be construed to criminalize the legal possession of a concealed firearm by a validly licensed concealed carry licensee (see 430 ILCS 66).
- b) Definitions
- 1) Unauthorized person – any individual who is not a Department employee, an individual who is not present for the purpose of hunting or trapping, or is an individual who does not fall under the definition of "non-hunting or non-trapping partner" pursuant to subsections (b)(10) and (d)(8).
 - 2) Designated area – a defined location at a site with a set boundary within which only a specified recreational activity such as hunting or trapping may take place during a publicly announced time period.
 - 3) Hunting/Trapping area – any portion of a site where actual hunting and/or trapping takes place. It does not include places such as parking lots, check stations, pavilions, or picnic areas associated with a hunting/trapping area.
 - 4) Restricted area – a defined location at a site with a set boundary within which hunting and/or trapping is prohibited.
 - 5) Refuge area – a defined location at a site with a set boundary within which no public activity or presence is allowed, except as authorized by the Department when it is determined that activity such as nature studies, hiking, fishing or camping would not be detrimental to the purpose of the refuge.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- 6) Adult – a person 18 years of age or older.
 - 7) Waterfowl rest area – a defined location at a site with a set boundary within which no public activity or presence is allowed for a specified period of time, except as authorized by the Department.
 - 8) Hunter or trapper quota – The maximum number of hunters or trappers that can be accommodated at a site at any one time. Hunter and trapper quotas are determined by the formula of one hunter or trapper per 10-40 huntable acres. The number of huntable acres is determined by, but not limited to, the biological studies on the number of available animals within a species, the condition, topography and configuration of the land at the site, the condition of the roads at the site and the number of employees available to work at the site.
 - 9) Publicly announced – The information referred to will be included on the Department's Internet Home Page at www.dnr.illinois.gov, provided to outdoor writers for newspapers, and placed on the Department's Toll Free Hotline.
 - 10) Non-hunting or non-trapping partner – a person who accompanies a hunter or trapper and does not hunt or trap during the trip.
- c) It shall be unlawful:
- 1) For any person to possess any alcoholic beverage or illegal drug or be under the influence of alcohol, illegal drugs, or intoxicating compounds while in any hunting/trapping area for the purpose of hunting or trapping.
 - 2) To hunt or trap on any site with a manned check station without first declaring game killed on a previous hunt and in possession either on the hunter's person or in his vehicle.
 - 3) To construct or use any tree stand using nails, screws or any device which pierces or cuts the bark of the tree on which it is installed.
 - 4) To hunt or trap in a restricted area.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- 5) For unauthorized persons to use or occupy in any manner designated hunting areas during the permit dove hunting season and controlled pheasant hunting season at sites holding such seasons, or during any hunting season where such restrictions are so posted at the site, when authorized hunting is in progress.
 - 6) To enter a refuge, restricted area or waterfowl rest area unless authorized by the Department.
 - 7) To hunt or trap on any Department-owned or -managed land that is not a designated area pursuant to applicable species rules (17 Ill. Adm. Code 530, 550, 570, 590, 650, 660, 670, 680, 690, 710, 715, 720, 730, and 740).
 - 8) To buy, sell or commercialize hunting or trapping rights, directly or indirectly, except that this does not apply to Department of Natural Resources hunting or trapping fees or to the operation of controlled pheasant hunting on Department lands pursuant to a written concession agreement.
 - 9) To hunt or trap without a valid permit where permits are required.
 - 10) To hunt with any weapon except shotgun or bow and arrow unless otherwise specified.
 - 11) To track deer with dogs on any Department owned or managed site during hours when deer hunting is being conducted on the site.
 - 12) To use or occupy a ground blind during any firearm deer season, unless at least 400 square inches of solid, vivid blaze orange material is securely attached to the uppermost portion of the blind and a substantial amount of orange is visible for 360 degrees.
- d) Specific Management Procedures
- 1) Specific management procedures will be posted at either check stations or site parking lots at the site so the procedures will be visible to the public.
 - 2) Where there is a check station in operation, or where designated, hunters must sign in and/or sign out, and report [harvest upon completing their hunt](#)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

~~via physical check stations, registration kiosks, or electronically, their kill within 15 minutes, or~~ as posted, ~~after completing their hunt~~. Some areas require the wearing of a back patch and depositing hunting license (or Firearm Owner's Identification card if the hunter is exempt from buying a license).

- 3) In the event that Department budget reductions or site staffing reductions make the operation of check stations impractical, State sites that now require check stations and other restrictive hunter regulations may be opened to statewide regulations or closed to hunting by posting such notice at the site.
- 4) Statewide regulations shall apply at sites where windshield cards are issued, except that each hunter must obtain a free site windshield card online from the Department website. This windshield card must be displayed under the vehicle windshield, face up, and with the windshield card number visible. Hunters must report their annual harvest online (even if the hunter did not hunt) by February 15 or two weeks after the season closes for those seasons ending after February 1. Hunters shall forfeit their hunting privileges at the site for the following year if they fail to report by the above deadline for two consecutive hunt years.
- 5) Department will have the authority to issue site specific deer permits in addition to any other deer permits issued by the Department (see Parts 650, 660, 670 and 680) and to designate the sex of deer (antlered or antlerless) that hunters may harvest through site-specific regulations.
- 6) All hunter or trapper quotas are filled on a first come-first served basis unless a drawing or special permit is used. The Department shall use a special permit or drawing whenever past hunter or trapper participation at a particular site reveals that the demand exceeds the quota established by the Department. Hunters or trappers will be notified as expeditiously as possible through site postings, news releases or public announcements when quotas are established.
- 7) During pheasant, rabbit, quail and partridge season, hunters are required to wear a cap and upper outer garment of solid and vivid blaze orange of at least 400 square inches while hunting pheasant, quail, Hungarian partridge, rabbit, snipe, rail and woodcock.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- 8) Non-hunting or non-trapping partners may accompany hunters and trappers on their hunting or trapping trips. Partners must be unarmed and remain with the hunter or trapper throughout the trip. On sites where special permits are required, each permit holder or party is limited to one non-hunting or non-trapping partner per trip. On sites with waterfowl blinds, non-hunters count towards the blind's maximum occupancy.

(Source: Amended at 44 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Nuisance Wildlife Control Permits
- 2) Code Citation: 17 Ill. Adm. Code 525
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
525.20	Amendment
525.30	Amendment
- 4) Statutory Authority: Implementing and authorized by Section 2.37 of the Wildlife Code [520 ILCS 5].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to expand requirements for individuals desiring to perform work on bat eviction and exclusion and to allow an electronic copy of a Nuisance Wildlife Control Permit in addition to a paper copy of the permit.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

John Heidinger, Legal Counsel
Department of Natural Resources
One Natural Resources
Springfield IL 62702

217/557-6379

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2020

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER b: FISH AND WILDLIFE

PART 525

NUISANCE WILDLIFE CONTROL PERMITS

Section

525.10	Purpose
525.15	Definitions
525.20	Requirements, Application and Permit Procedures
525.30	General Provisions
525.35	Approved Methods of Take: Game Mammals, Furbearing Mammals and Other Mammals
525.40	Prohibited Methods of Take
525.45	Disposition of Animals
525.50	Euthanasia
525.55	Bats
525.60	Game Birds
525.65	Migratory Birds
525.70	Business Practices
525.75	Exceptions to Permit Requirements and Provisions
525.80	Revocation and Suspension of Permits: Hearings and Appeals

525.EXHIBIT A Application for Nuisance Wildlife Control Permit

AUTHORITY: Implementing and authorized by Section 2.37 of the Wildlife Code [520 ILCS 5].

SOURCE: Adopted at 15 Ill. Reg. 4149, effective March 4, 1991; amended at 16 Ill. Reg. 1826, effective January 17, 1992; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 23 Ill. Reg. 3406, effective March 8, 1999; amended at 27 Ill. Reg. 735, effective January 6, 2003; amended at 29 Ill. Reg. 3919, effective February 24, 2005; amended at 41 Ill. Reg. 8476, effective June 28, 2017; amended at 43 Ill. Reg. 9392, effective August 23, 2019; amended at 44 Ill. Reg. _____, effective _____.

Section 525.20 Requirements, Application and Permit Procedures

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- a) Any individual desiring to take game mammals, furbearing mammals, other mammals, game birds, or bats, or to provide services for the exclusion and/or eviction of bats, or game birds that are causing damage to property or risks to human health or safety on the land of another, for a fee, must first obtain a valid Class A Nuisance Wildlife Control Permit from the Department.
- b) Not-for-profit (501(c)(3)) zoos and botanical gardens desiring to take protected species that are causing damage to property, risks to human health or safety, or risks to specimens on lands owned by that entity must first obtain a valid Class B Nuisance Wildlife Control Permit from the Department. Landowners and tenants who desire to take migratory birds on their property, in accordance with a valid federal permit, and without the aid of a Class D or Class E permit, must first obtain a valid Class B permit from the Department.
- c) Any governmental body desiring to take game mammals, furbearing mammals, other mammals (e.g., bats) or game birds that are causing damage to property or risks to human health or safety must first obtain a valid Class C Nuisance Wildlife Control Permit from the Department.
- d) Any individual desiring to take migratory birds that are causing damage to property, risks to human health or safety, or nuisances on the land of another, for a fee, must first obtain a valid Class D Nuisance Wildlife Control Permit from the Department.
- e) Any governmental body desiring to take migratory birds that are causing damage to property, risks to human health or safety, or nuisances on lands governed, owned or managed by that governmental body must first obtain a valid Class E Nuisance Wildlife Control Permit.
- f) Permit Procedures
 - 1) To be eligible for a Class A or Class D permit the applicant must be at least 18 years of age.
 - 2) Application for a permit shall be made on forms provided by the Department.
 - 3) The Department shall issue a Class A permit to an individual provided the applicant has:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- A) met the eligibility requirements of subsection (f)(1);
 - B) achieved a score of at least 80% on a closed-book, written examination administered by the Department that tests the applicant's knowledge and understanding of:
 - i) this Part;
 - ii) Sections 2.37 and 2.38 of the Code;
 - iii) the Illinois List of Endangered and Threatened Fauna (17 Ill. Adm. Code 1010);
 - iv) the Illinois Dead Animal Disposal Act [225 ILCS 610];
 - v) "Specifications for the Humane Handling, Care, Treatment, and Transportation of Warmblooded Animals Other Than Dogs, Cats, Rabbits, Hamsters, Guinea Pigs, Nonhuman Primates, and Marine Mammals" (9 CFR 3, subpart F);
 - vi) Disease Free Certification and Quarantine Provisions for Propagation, Release, Importation, Exportation, and Transportation of Game Mammals, Game Birds, Migratory Birds, or Exotic Wildlife (17 Ill. Adm. Code 630); and
 - vii) diseases, life cycles, habits and habitats of game mammals, furbearing mammals, other mammals, bats and game birds, as well as methods of preventing or controlling damage and risks to human health or safety caused by these species.
 - C) completed a Hunter Safety Course administered by the Department or provided proof of equivalent training if guns are to be used to take or euthanize animals. Submission of discharge papers from the military (DD 214) showing certification as a marksman, sharpshooter or expert is considered proof of equivalent training.
- 4) The Department shall issue a Class B permit to a landowner or tenant provided the applicant has:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- A) met the eligibility requirements of subsection (f)(1);
 - B) provided a copy of his or her valid federal permit for taking migratory birds; and
 - C) completed a Hunter Safety Course administered by the Department or provided proof of equivalent training if guns are to be used to take or euthanize animals. Submission of discharge papers from the military (DD 214) showing certification as a marksman, sharpshooter or expert is considered proof of equivalent training.
- 5) Authorization granted to landowners or tenants and their agents for taking migratory birds is limited to properties owned or leased by those individuals and subject to refusal, revocation and/or suspension pursuant to subsections (g) through (j) of this Section and Section 525.80.
- 6) The Department shall issue a Class B permit to a not-for-profit (501(c)(3)) zoo provided that entity is accredited by the American Zoological Association. The Department shall issue a Class B permit to a not-for-profit (501(c)(3)) botanical garden provided that entity is a member of the American Arboreta and Botanic Garden Association. Authorization granted to not-for-profit zoos and botanical gardens is limited to properties owned by those entities and subject to refusal, revocation and/or suspension pursuant to subsections (g) through (j) of this Section and Section 525.80.
- 7) The Department shall issue a Class D permit to an individual provided the applicant has:
- A) met the eligibility requirements of subsection (f)(1);
 - B) achieved a score of at least 80% on a closed book, written examination that tests the applicant's knowledge of:
 - i) this Part;
 - ii) Sections 2.37 and 2.38 of the Code;

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- iii) the Illinois List of Endangered and Threatened Fauna (17 Ill. Adm. Code 1010);
 - iv) the Illinois Dead Animal Disposal Act [225 ILCS 610];
 - v) Disease Free Certification and Quarantine Provisions for Propagation, Release, Importation, Exportation, and Transportation of Game Mammals, Game Birds, Migratory Birds, or Exotic Wildlife (17 Ill. Adm. Code 630);
 - vi) federal regulations (50 CFR 21.41); and
 - vii) diseases, life cycles, habits and habitats of migratory birds, as well as methods of preventing or controlling damage, risks to human health and safety, or nuisances caused by migratory birds.
- 8) Applicants failing the required examination may repeat the exam after 45 days. Should a second failure occur, a 6-month waiting period from the date of the second exam is required. The examination sequence can be repeated no more than twice during any 2-year period.
- 9) The Department shall issue a Class C or Class E permit to a governmental body upon approval of an application.
- g) Violation of the Illinois Endangered Species Protection Act [520 ILCS 10], the Fish Code of 1971 [520 ILCS 5] or the Wildlife Code during the 3 years prior to application for a Class A or Class D permit shall be grounds for refusal to issue said permit.
- h) Providing incomplete, deceptive or false information on an application shall be grounds for refusal to issue a permit. Providing deceptive or false information on an application is a Class A misdemeanor (see Section 2.38 of the Code).
- i) Permittees who have allowed their permits to expire or had their permits revoked or suspended for more than 60 days must reapply and retake any examinations required for issuance of Class A and Class D permits.
- j) Final judgement of applications shall be made by the Chief, Division of Wildlife

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Resources, or his/her designee, based on criteria in this Section and Section 525.80.

- k) Class A, B and C permits shall be issued on an annual basis and expire January 31 of each year, except that:
 - 1) permits issued to first-time applicants between November 1 and January 31 shall expire on January 31 of the following year;
 - 2) Class B permits issued to landowners and tenants for control of migratory birds on their property may be issued for a period of time that coincides with their federal permit.
- l) Class D and E permits shall be issued on an annual basis and expire on September 1 of each year.

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 525.30 General Provisions

- a) Nuisance Wildlife Control Permits are not transferable.
- b) Under no circumstances shall a Nuisance Wildlife Control Permit be used in lieu of a scientific collector's permit (see 520 ILCS 5/3.22) or sport or commercial licenses (see 520 ILCS 5/3.1, 3.3 and 3.27).
- c) The Nuisance Wildlife Control Permit [or an electronic/digital copy](#) must be carried on the person at all times when taking or transporting fauna and be presented, upon request, to any authorized employee of the Department or any peace officer. Violation is a petty offense (see 520 ILCS 5/2.37).
- d) It shall be unlawful for any person to represent himself or herself falsely to be an authorized employee of the Department, or to assume to act as such without having been duly appointed and employed. Violation is a petty offense (see Section 2.37 of the Code).
- e) A Class A Nuisance permittee is an industrial user as listed in the Hypodermic Syringes and Needles Act [720 ILCS 635].

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- f) It is unlawful for any person to take any protected species during the firearm deer hunting season in those counties open to firearm deer hunting, unless he or she wears, when in the field, a cap and outer garment of a solid blaze orange color, with those articles of clothing displaying a minimum of 400 square inches of blaze orange material. Violation is a Class B misdemeanor (see Section 2.33(ff) of the Code).
- g) The taking of white-tailed deer is prohibited except for the salvage and disposal of dead white-tailed deer in accordance with Section 525.45.
- h) The taking of bats is prohibited except as provided in Sections 525.55 and 525.75.
- i) The taking of game birds is prohibited except as provided in Section 525.60.
- j) The taking of migratory birds is prohibited except as provided in Sections 525.65 and 525.75.
- k) The taking of bald or golden eagles and species classified as endangered or threatened under the Illinois Endangered Species Protection Act (see the list of species in 17 Ill. Adm. Code 1010) is prohibited.

(Source: Amended at 44 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Duck, Goose, and Coot Hunting
- 2) Code Citation: 17 Ill. Adm. Code 590
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
590.10	Amendment
590.20	Amendment
590.60	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7 and 3.8 of the Wildlife Code [520 ILCS 5] and Migratory Bird Hunting (50 CFR 20).
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to change the ending date of the Light Goose Spring Conservation Order hunt and to reduce the mandatory number of decoys.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

John Heidinger, Legal Counsel
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DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

217/557-6379

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2020

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER b: FISH AND WILDLIFE

PART 590

DUCK, GOOSE AND COOT HUNTING

Section

590.10	Statewide Regulations
590.15	Duck, Goose and Coot General Hunting Regulations on Department-Owned and -Managed Sites Listed in Sections 590.40 and 590.50
590.20	Permit Controlled Department Sites Only – Duck, Goose and Coot Hunting
590.25	Illinois Youth Waterfowl Hunting Permit Requirements (Repealed)
590.26	Illinois Youth Duck Hunting Permit Requirements (Repealed)
590.30	Duck, Goose and Coot General Hunting Regulations on all Department-Owned and -Managed Sites (Repealed)
590.40	Check Station Department Sites Only – Duck, Goose and Coot Hunting
590.50	Non-Check Station Department Sites Only – Duck, Goose and Coot Hunting
590.60	Various Other Department Sites – Duck, Goose and Coot Hunting
590.70	Ohio River
590.80	Early and Late Goose (All Species) Hunting Regulations on Department Sites
590.EXHIBIT A	The Non-Toxic Shot Zones of Illinois (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.1, 2.2, 2.18, 2.19, 2.20, 2.23, 2.33, 3.5, 3.6, 3.7 and 3.8 of the Wildlife Code [520 ILCS 5] and Migratory Bird Hunting (50 CFR 20).

SOURCE: Adopted at 5 Ill. Reg. 8857, effective August 25, 1981; emergency amendment at 5 Ill. Reg. 11386, effective October 14, 1981, for a maximum of 150 days; codified at 5 Ill. Reg. 10638; Part repealed at 6 Ill. Reg. 9647, effective July 21, 1982; new Part adopted at 6 Ill. Reg. 11865, effective September 22, 1982; amended at 7 Ill. Reg. 13229, effective September 28, 1983; emergency amendment at 7 Ill. Reg. 13948, effective October 6, 1983, for a maximum of 150 days; emergency expired March 3, 1984; amended at 8 Ill. Reg. 18968, effective September 26, 1984; amended at 9 Ill. Reg. 14242, effective September 5, 1985; peremptory amendment at 9 Ill. Reg. 15062, effective September 25, 1985; emergency amendment at 9 Ill. Reg. 15928, effective October 8, 1985, for a maximum of 150 days; emergency expired March 5, 1986; amended at 10 Ill. Reg. 16588, effective September 22, 1986; emergency amendment at 10 Ill. Reg. 17773, effective September 26, 1986, for a maximum of 150 days; emergency expired

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

February 23, 1987; amended at 11 Ill. Reg. 10560, effective May 21, 1987; emergency amendment at 11 Ill. Reg. 15242, effective August 28, 1987, for a maximum of 150 days; emergency expired January 25, 1988; amended at 12 Ill. Reg. 12200, effective July 15, 1988; emergency amendment at 12 Ill. Reg. 16233, effective September 23, 1988, for a maximum of 150 days; emergency expired February 20, 1989; emergency amendment at 12 Ill. Reg. 22244, effective December 7, 1988, for a maximum of 150 days; emergency expired May 6, 1989; amended at 13 Ill. Reg. 10525, effective June 20, 1989; amended at 13 Ill. Reg. 14925, effective September 7, 1989; emergency amendment at 13 Ill. Reg. 16579, effective October 4, 1989, for a maximum of 150 days; emergency expired March 3, 1989; amended at 13 Ill. Reg. 17354, effective October 27, 1989; amended at 14 Ill. Reg. 638, effective January 2, 1990; amended at 14 Ill. Reg. 13529, effective August 13, 1990; emergency amendment at 14 Ill. Reg. 17029, effective September 26, 1990, for a maximum of 150 days; emergency expired February 23, 1991; amended at 15 Ill. Reg. 1487, effective January 22, 1991; amended at 15 Ill. Reg. 13293, effective September 3, 1991; emergency amendment at 15 Ill. Reg. 16745, effective November 5, 1991, for a maximum of 150 days; emergency expired April 3, 1992; amended at 16 Ill. Reg. 570, effective December 31, 1991; amended at 16 Ill. Reg. 12491, effective July 28, 1992; emergency amendment at 16 Ill. Reg. 16672, effective October 15, 1992, for a maximum of 150 days; emergency expired March 9, 1993; emergency amendment at 16 Ill. Reg. 18851, effective November 17, 1992, for a maximum of 150 days; emergency expired April 11, 1993; emergency amendment at 17 Ill. Reg. 1658, effective January 20, 1993, for a maximum of 150 days; emergency expired June 14, 1993; amended at 17 Ill. Reg. 16443, effective September 27, 1993; emergency amendment at 17 Ill. Reg. 18867, effective October 14, 1993, for a maximum of 150 days; emergency expired March 13, 1994; amended at 18 Ill. Reg. 10023, effective June 21, 1994; emergency amendment at 18 Ill. Reg. 15161, effective September 27, 1994, for a maximum of 150 days; emergency expired February 23, 1995; amended at 19 Ill. Reg. 13209, effective September 11, 1995; amended at 20 Ill. Reg. 754, effective December 29, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill. Reg. 9389; amended at 20 Ill. Reg. 12417, effective August 30, 1996; amended at 21 Ill. Reg. 578, effective December 30, 1996; amended at 21 Ill. Reg. 11713, effective August 12, 1997; amended at 22 Ill. Reg. 2182, effective January 2, 1998; amended at 22 Ill. Reg. 15961, effective August 24, 1998; amended at 22 Ill. Reg. 21881, effective December 3, 1998; emergency amendment at 23 Ill. Reg. 3092, effective March 10, 1999, for a maximum of 150 days; emergency expired August 6, 1999; amended at 23 Ill. Reg. 11195, effective August 26, 1999; emergency amendment at 23 Ill. Reg. 14640, effective December 13, 1999, for a maximum of 150 days; emergency expired May 10, 2000; amended at 24 Ill. Reg. 12517, effective August 7, 2000; amended at 25 Ill. Reg. 14131, effective October 22, 2001; amended at 26 Ill. Reg. 16238, effective October 18, 2002; amended at 27 Ill. Reg. 15409, effective September 18, 2003; amended at 28 Ill. Reg. 13562, effective September 24, 2004; amended at 29 Ill. Reg. 9654, effective June 24, 2005; emergency amendment at 29 Ill. Reg.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

13900, effective August 30, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 18924, effective November 4, 2005; amended at 30 Ill. Reg. 15694, effective September 18, 2006; amended at 31 Ill. Reg. 13128, effective August 30, 2007; amended at 32 Ill. Reg. 14761, effective August 27, 2008; amended at 33 Ill. Reg. 14671, effective October 13, 2009; amended at 34 Ill. Reg. 16457, effective October 8, 2010; amended at 35 Ill. Reg. 13161, effective July 26, 2011; amended at 37 Ill. Reg. 19208, effective November 14, 2013; amended at 38 Ill. Reg. 22735, effective November 18, 2014; amended at 39 Ill. Reg. 11387, effective August 3, 2015; amended at 40 Ill. Reg. 10492, effective July 20, 2016; amended at 41 Ill. Reg. 8575, effective June 28, 2017; amended at 42 Ill. Reg. 17547, effective September 21, 2018; amended at 43 Ill. Reg. 9464, effective August 23, 2019; amended at 44 Ill. Reg. _____, effective _____.

Section 590.10 Statewide Regulations

- a) Pursuant to Section 2.18 of the Wildlife Code [520 ILCS 5/2.18], *it shall be unlawful to take, possess, transport, or use migratory waterfowl except during such period of time and in such manner and numbers as may be provided in the Federal Migratory Bird Treaty Act (16 USC 703-711), the Migratory Bird Hunting Stamp Act (16 USC 1718 et seq.), and annual Rules and Regulations for Migratory Bird Hunting (50 CFR 20 (August 31, 2006) and 21 (September 22, 2006) (collectively referred to in this Part as federal regulations) (no incorporation in this Part includes later amendments or editions), or contrary to any State regulations made in the Wildlife Code. Violation is a Class B misdemeanor (see 520 ILCS 5/2.18).*
- b) The legal possession of a concealed firearm by a validly licensed concealed carry licensee is allowed statewide, subject to Section 2.33 of the Wildlife Code on illegal devices and State refuges, the prohibitions set forth in Section 65 of the Firearm Concealed Carry Act [430 ILCS 66] and any applicable federal regulations. Violation is a Class B misdemeanor (see 520 ILCS 5/2.33), except that violation of Section 2.33(g), (i), (o), (p), (y) and (cc) are Class A misdemeanors with a minimum \$500 fine and a maximum \$5,000 fine in addition to other statutory penalties.
- c) Duck, goose and coot regulations are in accordance with Federal Regulations (50 CFR 20) unless the regulations in this Part are more restrictive. Violation is a Class B misdemeanor (see 520 ILCS 5/2.18).
- d) It shall be unlawful while attempting to take migratory waterfowl or coots to have in possession any shotgun shells not approved as non-toxic by federal regulations.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Violation is a petty offense (see 520 ILCS 5/2.18-1).

- e) It shall be unlawful to possess any shotgun shell loaded with a shot size larger than number T steel or number BBB of any other non-toxic shot when attempting to take waterfowl. Violation is a Class B misdemeanor (see 520 ILCS 5/2.18).
- f) Hunting Canada Geese after the season is closed is a Class B misdemeanor (see 520 ILCS 5/2.18). Possession of freshly killed wild geese during the closed season is a Class A misdemeanor (see 520 ILCS 5/2.33(cc)).
- g) Closed Areas
Closed areas, including waterfowl refuges and rest areas, may be designated at certain sites in accordance with 17 Ill. Adm. Code 510. Boundaries of these closed areas will be posted. Violation is a petty offense (see 520 ILCS 5/2.20).
- h) Commercial Migratory Waterfowl Hunting regulations are specified in 17 Ill. Adm. Code 640.
- i) No person during the open season shall take or attempt to take wild geese prior to ½ hour before sunrise nor after sunset. During special light goose seasons as indicated in subsection (n), statewide hunting hours shall be ½ hour before sunrise to ½ hour after sunset daily. Hunting prior to ½ hour before sunrise during the open season is a Class A misdemeanor (see 520 ILCS 2.33(y)). Hunting after ½ hour after sunset is a Class A misdemeanor (see 520 ILCS 2.33(y)). Hunting after closing hours is a Class B misdemeanor (see 520 ILCS 5/2.18).
- j) Registration in the U.S. Fish and Wildlife Service Migratory Bird Harvest Information Program (HIP) is required for those persons who are required to have a hunting license before taking or attempting to take ducks, geese or coots. Instructions for registering are provided with issuance of hunting license. Violation is a petty offense (see 520 ILCS 5/3.1(f)).
- k) If 50 CFR 20 or 21 allows light goose seasons to be liberalized, snow geese, blue geese and Ross' geese may be taken in accordance with federal regulations regarding hunting hours, method of taking and bag limits through ~~April 30~~[March 31](#).
- l) Nothing in this Part shall be construed to criminalize the legal possession of a concealed firearm, as set forth in Section 590.10(b), by a validly licensed

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

concealed carry licensee (see 430 ILCS 66).

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 590.20 Permit Controlled Department Sites Only – Duck, Goose and Coot Hunting

- a) Sites covered in this Section, which allow hunting by permit only, are:

Anderson Lake State Fish and Wildlife Area

Banner Marsh State Fish and Wildlife Area

Black Crown Marsh State Natural Area

Clinton Lake State Recreation Area – Salt Creek Waterfowl Management Area
(2)

Double T State Fish and Wildlife Area

Embarras River Bottoms State Habitat Area (2)

Horseshoe Lake State Fish and Wildlife Area

Kidd Lake State Natural Area (west of railroad tracks only)

Larry D. Closson State Habitat Area (2)

Marshall State Conservation Area – Duck Ranch Unit (2)

Mermet Lake State Fish and Wildlife Area

Rice Lake State Fish and Wildlife Area – Walk-in Units

Snakeden Hollow State Fish and Wildlife Area

Spring Lake State Fish and Wildlife Area – Spring Lake Bottoms Unit

Union County State Fish and Wildlife Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

b) Permit Requirements

- 1) Permit applications shall be accepted starting August 16. Initial acceptance dates and methods for making applications will be publicly announced. A hunter can obtain up to 5 permits for duck hunting and 5 permits for goose hunting as follows: Only applications submitted by Illinois residents will be processed during the first lottery to apply for up to one duck permit and one goose permit. Non-residents and residents who did not receive a permit or did not apply in the first lottery will be eligible to participate in the second lottery to apply for their first duck and goose permit. Residents will have preference in the 2nd lottery. Residents and non-residents can apply for a 2nd permit for duck and goose hunting in the 3rd lottery. Residents will have preference in the 3rd lottery. Residents and non-residents can apply for a 3rd, 4th and 5th duck and goose permit during the phone-in reservation period to be held after the 3rd lottery. Successful applicants will be sent confirmation via email or can access the Reservation Inquiry System to see if they were awarded a permit.
- 2) Permits shall be issued until the daily quota is filled. The daily quota is determined by the formula: one hunter per 10 to 40 huntable acres. Huntable acres are determined by, but not limited to, the biological studies on the number of the species available; the condition, topography, and configuration of the land at the site; the condition of the roads at the site; the number of employees available to work at the site; and the number of blinds which can be established on a site as set forth in Section 3.8 of the Wildlife Code [520 ILCS 5]. Hunting locations (blind or stake number) shall be assigned randomly by the permit office and listed on the permit at sites that do not have a check station, but have multiple hunting locations.
- 3) The permit shall be for the use of the entire blind or staked site/area.
 - A) It shall be the responsibility of the permit holder to bring one hunting partner or one non-hunting partner (non-hunting partners are defined as persons under 21 years of age accompanying the hunter in the blind) or 2 non-hunting partners (3 persons per blind but not more than 2 hunters per blind) for:

Snakeden Hollow State Fish and Wildlife Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Horseshoe Lake State Fish and Wildlife Area

Union County State Fish and Wildlife Area

- B) It shall be the responsibility of the permit holder to bring no more than 2 partners (hunters or non-hunters; 3 persons per stake/area) for:

Rice Lake State Fish and Wildlife Area – Walk-in Unit

Kidd Lake State Natural Area – units west of the railroad tracks only

- C) It shall be the responsibility of the permit holder to bring no more than 3 partners (hunters or non-hunters; 4 persons per blind or staked site/area) for:

Anderson Lake State Fish and Wildlife Area

Banner Marsh State Fish and Wildlife Area

Black Crown Marsh State Natural Area

Double T State Fish and Wildlife Area

Embarras River Bottoms State Habitat Area

Larry D. Closson State Habitat Area

Marshall State Conservation Area – Duck Ranch Unit

Mermet Lake State Fish and Wildlife Area

Spring Lake State Fish and Wildlife Area – Spring Lake Bottoms Unit

Clinton Lake State Recreation Area – Salt Creek Waterfowl Management Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Unallocated blinds shall be filled by a drawing at the sites.

- 4) Permits are not transferrable.
- 5) Permits will be issued from the Springfield Permit Office for permit-controlled sites. For other information write to:

Illinois Department of Natural Resources
Permit Office – Waterfowl
P.O. Box 19457
Springfield IL 62794-9457

c) General Regulations

- 1) All use other than permit hunting as defined in subsection (b)(3) is prohibited at:
 - A) Snakeden Hollow State Fish and Wildlife Area from 2 weeks before duck season through close of Central Zone Canada goose season.
 - B) Double T State Fish and Wildlife Area from October 1 through the close of the Central Zone Duck hunting season.
- 2) Hours, Permits and Stamp Charges
 - A) Hunting hours are from legal opening time until 1:00 p.m., except at Horseshoe Lake State Fish and Wildlife Area and Union County State Fish and Wildlife Area, which close at 12 noon. Marshall State Fish and Wildlife Area – Duck Ranch Unit will have statewide hours for early and late goose seasons.
 - B) At Snakeden Hollow State Fish and Wildlife Area from opening day through November 30, all hunters must register at the check station by 5:00 a.m. Permits are void after 5:00 a.m. From December 1 through December 31, all hunters must register at the check station by 5:30 a.m. Permits are void after 5:30 a.m. From January 1 through the close of goose season, all hunters must register at the check station by 6:00 a.m. Permits are void after

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

6:00 a.m.

- C) At Banner Marsh State Fish and Wildlife Area, Horseshoe Lake State Fish and Wildlife Area, Rice Lake State Conservation Area – Walk-in Units and Union County State Fish and Wildlife Area hunters with permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing shall be held to allocate blind sites at all sites.
- D) At Anderson Lake State Fish and Wildlife Area and Spring Lake State Fish and Wildlife Area – Spring Lake Bottoms Unit, hunters are required to check in at the check station no later than one hour before legal shooting time; after that time, permits are void.
- E) At Double T State Fish and Wildlife Area, hunters must check in by 4:30 a.m. at the Rice Lake check station. Permits are void after 4:30 a.m. Check out is required at all sites listed in this Section.
- F) At Clinton Lake State Recreation Area – Salt Creek Waterfowl Management Area, hunting hours are from legal shooting time to 1:00 p.m. Permit hunters have sole access to the blind sites for the day and may occupy or leave the site as desired during legal access hours.
- G) At Kidd Lake State Natural Area, hunters may arrive at hunt sites 1 hour prior to legal shooting time until 1:00 p.m. when shooting must cease. Hunters must remove all hunting materials and vacate the area by 2:00 p.m. Only hunters with Public Duck and Goose Hunting Area Permits and their partners may hunt the site.
- H) A \$15 Daily Usage Stamp must be purchased at Snakeden Hollow State Fish and Wildlife Area. Partners between 16 and 20 years of age must pay daily usage stamp fee. Partners under 16 are not required to purchase a daily usage stamp.
- I) A \$10 Daily Usage Stamp must be purchased at Banner Marsh State Fish and Wildlife Area, Marshall State Conservation Area – Duck Ranch Unit, Spring Lake State Fish and Wildlife Area –

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Spring Lake Bottoms Unit, Horseshoe Lake State Fish and Wildlife Area, Union County State Fish and Wildlife Area. Non-hunting partners between 16 and 20 years of age must pay daily usage stamp fee. All partners under 16 are not required to purchase a daily usage stamp.

- J) At Embarras River Bottoms State Habitat Area, hunters may arrive at hunt sites 1 hour prior to legal shooting time until 1:00 p.m. when shooting must cease. Hunters must remove all hunting materials and vacate the area by 3:00 p.m. Only hunters with Public Duck and Goose Hunting Area Permits and their partners may hunt the site.
- K) At Mermet Lake State Fish and Wildlife Area, permits will be valid each day the check station is open during regular duck season. Drawing for blinds will take place 90 minutes before shooting time and hunting hours are from ½ hour before sunrise until 1:00 p.m.
- 3) Hunting shall be done from assigned locations (blinds, stakes, areas or pits) only and hunters shall not move from assigned location to another location or leave the assigned location and return.
- 4) Guns must be unloaded and encased at all times when not hunting. Except at Union County and Horseshoe Lake State Fish and Wildlife Areas, all hunting parties shall hunt over a spread of at least 12 decoys during duck season and Canada goose season. The decoys shall be staked, placed or floating, be individually visible, be at least 8 inches long, and not be within a boat, blind or container.
- 5) The legal hunting seasons for Horseshoe Lake State Fish and Wildlife Area and Union County State Fish and Wildlife Area are the dates of the South Zone duck and goose hunting seasons except that these areas shall be closed on Mondays, Tuesdays (except for the Illinois Youth Waterfowl Hunt) and December 24 through 28. (These sites shall be open only for the Illinois Youth Waterfowl Hunt on December 28, pursuant to 17 Ill. Adm. Code 685.110.)
- 6) The legal hunting season at Snakeden Hollow State Fish and Wildlife

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Area is the dates of the Central Zone goose hunting season except that the area shall be closed on Mondays, Tuesdays, Wednesdays, and December 24, 25 and 26.

- 7) The legal hunting season at Banner Marsh State Fish and Wildlife Area and Rice Lake State Fish and Wildlife Area – Walk-in Units is the dates of the Central Zone duck hunting season.
- 8) The legal hunting season at Spring Lake State Fish and Wildlife Area – Spring Lake Bottoms Unit is the opening day of the Central Zone duck hunting season and every Tuesday, Thursday and Sunday of the Central Zone duck hunting season, except the second Sunday in November, which is closed due to the Youth Hunt.
- 9) The legal permit hunting season at Double T State Conservation Area will be every Wednesday, Saturday and Sunday of the Central Zone duck hunting season.
- 10) The legal hunting season at Marshall State Conservation Area – Duck Ranch Unit is every Tuesday, Thursday, Saturday and Sunday during the Central Zone duck season.
- 11) At Horseshoe Lake State Fish and Wildlife Area and Union County State Fish and Wildlife Area, during duck season hunters shall not possess more than 25 shot shells. When duck season is closed, hunters shall not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit. During the Conservation Order Light Goose Season hunters may possess 25 shot shells at Horseshoe Lake State Fish and Wildlife Area. At Snakeden Hollow State Fish and Wildlife Area, hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit.
- 12) At Horseshoe Lake State Fish and Wildlife Area and Union County State Fish and Wildlife Area hunters may bring up to 3 dozen decoys per party. No full bodied or supermagnum shell decoys are allowed.
- 13) At Horseshoe Lake State Fish and Wildlife Area hunters cannot take guns from the blind to retrieve crippled waterfowl.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 14) Hunters must be at least 16 years of age (except for the Illinois Youth Goose/Duck Hunt) to draw for a pit or blind. Each person under 16 years of age must be accompanied by a supervising adult.
- 15) At Rice Lake State Fish and Wildlife Area – Walk-in Units, hunting shall be by walk-in or boats without motors only.
- 16) The legal hunting season for Clinton Lake State Recreation Area – Salt Creek Waterfowl Management Area will be every Tuesday, Thursday and Saturday of the Central Zone regular duck and Canada goose season.
- 17) The permit dates for Anderson Lake State Fish and Wildlife Area will be every Tuesday, Thursday and Saturday of the waterfowl hunting zone the site is in (Central Zone). Permit holders will have first choice of West Point Walk-in area stakes or unclaimed yearly allocation blinds that would otherwise go in the daily drawing. All site specific regulations apply.
- 18) The legal hunting season for Larry D. Closson State Habitat Area will be every Sunday in October and November and every Saturday in December and January of the regular Illinois duck hunting season in the waterfowl hunting zone in which the site is located.
- 19) The legal hunting season for Kidd Lake State Natural Area – units west of the railroad tracks only will be every Tuesday, Thursday and Saturday of the regular Illinois duck hunting season in the waterfowl hunting zone in which the site is located.
- 20) The legal hunting season for Embarras River Bottoms State Habitat Area will be Tuesday, Thursday and Saturday of the regular Illinois duck hunting season (except for the youth waterfowl season) in the Waterfowl Hunting Zone in which the site is located. There will be no waterfowl hunting during shotgun deer and deer muzzleloader seasons.
- 21) The legal hunting season for Black Crown Marsh State Natural Area ([marsh hunting area](#)) will be Tuesday, Thursday, Saturday and Sunday of the regular Illinois duck hunting season in the waterfowl hunting zone where the site is located. [The legal hunting season for the Black Crown Marsh State Natural Area \(land hunting area\) will be Tuesday, Thursday, Saturday and Sunday of the regular Illinois duck and goose hunting](#)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

seasons in the waterfowl hunting zone where the site is located. Walk-in hunting only. ~~This site does not have any permanent blind structures.~~ Hunters may construct temporary blinds that must be removed at the end of each day's hunt. Hunting hours are from legal opening until 1:00 p.m. Hunters must be off the site by 2:00 p.m. Sign-in/sign-out and report harvest at parking area kiosk.

- d) Violation of this Section is a petty offense (see 520 ILCS 5/2.20).

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 590.60 Various Other Department Sites – Duck, Goose and Coot Hunting

The sites listed in this Section conform to Statewide Regulations (Section 590.10) and the following regulations, except as noted.

- a) Regulations
- 1) Hunting hours are from legal opening to 1:00 p.m., except hunting shall be permitted until sunset on those sites indicated by (1) following the location in subsection (b). Sites that require use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 are followed by (2).
 - 2) No permanent blinds allowed, except for Department constructed blinds; all blinds must be of a portable nature and constructed with natural vegetation at the blind site and no pits can be dug. All materials must be removed or dismantled at the end on the day's hunt.
 - 3) Portable boat blinds must have been completed, including final brushing, before entering the water and must be removed at the end of the day's hunt.
 - 4) Waterfowl hunters must maintain a distance of 200 yards between hunting parties, except for Department constructed blinds or staked locations.
 - 5) No hunting is permitted within 200 yards of developed recreation areas, public use facilities, and construction or industrial sites.
 - 6) No check station is operated nor is any check in/check out required, except

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

as indicated in the remainder of this Section.

- 7) It shall be unlawful to trespass upon areas designated as waterfowl rest areas or refuges from 2 weeks prior to the start of regular duck season through the close of regular duck and Canada goose season except as indicated in the remainder of this Section.
- 8) It shall be unlawful to trespass upon the designated waterfowl hunting area during the 7 days prior to the regular duck season unless otherwise posted at the site.

b) Site Specific Regulations

- 1) Boston Bay (Mississippi River Pool 18)
No permanent blinds may be built; temporary blinds only; 200 yards apart.
- 2) Cache River State Natural Area (hunters must sign in prior to hunting and sign out and report their harvest at the end of each day) (1)
- 3) Campbell Pond State Wildlife Management Area (2)
- 4) Cape Bend State Fish and Wildlife Area (1)
- 5) Carlyle Lake Project Lands and Waters
 - A) No one may enter the subimpoundment area (except for parking areas) to hunt waterfowl before 4:30 a.m. each day of the waterfowl hunting season, or remain in the area after 3:00 p.m. each day of the waterfowl hunting season, except during the last 3 days of the Canada goose season and during any goose seasons that occur before or after Canada goose season, hunters must be out of the area by one hour after sunset and not return until 4:30 a.m. The subimpoundment area is defined as that area bordered by the Kaskaskia River on the east and south and extending north and west to the Carlyle Lake project boundary, and includes impoundment areas 1, 2, 3, and 4 and within the impoundments on the East Side Management Area located east of the Kaskaskia River.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- B) The waters of Carlyle Lake are defined as the lake and that portion of the Kaskaskia River, North Fork, East Fork, Peppenhorst Branch and Allen Branch and Hurricane Creek that are within the boundaries of the Carlyle Lake property.
- C) Walk-in hunting shall be permitted in subimpoundment areas. Boats with no motors are allowed in the subimpoundments. Department personnel will designate boat launching locations.
- D) When the water level in the subimpoundment area is too high (due to flooding) to allow walk-in hunting, Department personnel shall post that the area is open to boats with motors (no airboats) operating at no wake speed and will designate boat launching locations.
- E) Known eagle protection areas will be posted by the Site Superintendent and will be closed to waterfowl hunting.
- F) Each hunting party is required to hunt over a minimum of ~~6~~⁴ decoys. Decoys shall not be left out unattended or after 3:00 p.m. each day of the waterfowl season, except during the last 3 days of the Canada goose season and during any goose seasons that occur after Canada goose season, decoys shall not be left out unattended or later than one hour after sunset.
- G) All waterfowl hunters must register prior to hunting each day of the waterfowl hunting season at the nearest accessible registration box. All hunters must sign out and record their harvest daily before they exit the area.
- H) The Army Corps of Engineers may build blinds on Corps managed lands and waters for management purposes only.
- I) During the last 3 days of Canada goose season, hunting hours shall close at sunset daily.
- J) The following rules apply to North Allen Branch Waterfowl Management Area (Eldon Hazlet State Park) only:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- i) Three designated blind sites are available on a first come-first served basis. Walk-in hunting only is permitted with a maximum of 4 hunters per site. All hunting must be from one blind site located between identically numbered stakes.
 - ii) Hunters must sign in prior to hunting, and sign out and report their harvest at the end of each day. All hunters must be checked out by 2:00 p.m. daily, except the last 3 days of the Canada goose season, and during any goose seasons that may occur after the Canada goose season, hunters must be checked out by one hour after sunset.
 - iii) Decoys shall not be left out unattended.
 - iv) When the lake floods this area and designated blind sites are not usable for walk-in hunting, the Department, by public announcement and/or posting, will open the affected area to hunting from boats per Carlyle Lake Project Lands and Waters' rules.
- K) Waterfowl hunters may not possess more than 25 non-toxic rounds of ammunitions while hunting within the subimpoundment areas.
- 6) Chauncey Marsh State Natural Area (2)
- 7) Clinton Lake State Recreation Area (1) (2)
- A) Except as described in subsections (b)(7)(C) and (D), hunting is allowed only from anchored portable blinds, except that no waterfowl hunting is permitted in the area extending from a line between the west side boat ramp and the southern-most point of the central peninsula to the Davenport Bridge.
 - B) Waterfowl hunting is also permitted from the shore in designated walk-in hunting areas on a first-come, first-served basis. Walk-in or boat hunting only. No more than 4 hunters per party are permitted.
 - C) Hunting from permanent land-based blinds is permitted only from

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Disabled Hunting Program and Salt Creek Waterfowl Management Area blinds. In all Boat Access Only Sites, boat hunters may access land to hunt that is open to upland game and/or forest game (including archery hunting area) hunting. Hunters may use a boat to access these areas; no walk-in hunting at these sites. All blind rules in subsection (b)(7)(E) apply.

- D) Each party must hunt over a minimum of ~~6+2~~ decoys. Decoys must be removed from the sites following each day's hunt. Decoys must not be left unattended.
 - E) Except for the Handicap Hunting Program facilities and Salt Creek Waterfowl Management Area, blinds must be portable or built from material brought in or available at the blind site. Blinds must be dismantled and removed at the end of each day's hunt. No trees or bushes may be cut.
 - F) There will be no hunting within 200 yards of developed areas or construction zones and 300 yards of electrical power lines.
 - G) Hunting within the Salt Creek Waterfowl Management Area will, on designated days, be available only through a drawing conducted by the Springfield Permit Office. Procedures for applying for a permit at the site will be publicly announced.
- 8) Coffeen Lake State Fish and Wildlife Area
- A) Hunters must sign in prior to hunting and sign out, reporting harvest at the end of each day.
 - B) Hunting from staked sites only.
 - C) No permanent blinds.
 - D) Hunting by boat access only.
 - E) No cutting vegetation on site.
 - F) Hunting north of railroad tracks only.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- G) Hunting hours from legal opening to 1 p.m. Fishing allowed between the railroad tracks and the county road after 1:00 p.m.
 - H) Four hunters per blind site.
 - I) No hunting during firearm deer seasons.
 - J) All hunters must be checked out at sign in box by 2:00 p.m.
- 9) Copperhead Hollow State Wildlife Area (1) (2)
 - 10) Cypress Pond State Natural Area (1)
Hunters must sign in prior to hunting and sign out reporting harvest at the end of each day.
 - 11) Deer Pond State Natural Area (1)
Hunters must sign in prior to hunting and sign out reporting harvest at end of each day.
 - 12) Devil's Island State Fish and Wildlife Area (1)
 - 13) Dog Island State Wildlife Management Area (2)
 - 14) Donnelley State Wildlife Area
 - A) Hunting is prohibited on Tuesdays and Wednesdays except open on opening day and on the first Sunday immediately preceding the first firearm deer season as set forth in 17 Ill. Adm. Code 650.10 except as indicated in Section 590.25.
 - B) Goose hunting is prohibited after the close of the duck season.
 - C) All hunting shall be from designated blinds only. Refilling or changing blinds is not permitted.
 - D) All hunters must report to the check station to fill out an information card and turn in hunting licenses or valid photo identification (example: Firearm Owner's Identification Card,

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

driver's license) before proceeding to blinds.

- E) A hunter may bring one or 2 hunting partners under the age of 21.
 - F) \$10 daily usage stamp must be purchased to hunt this area. Non-hunting partners between 16 and 20 years of age must pay daily usage stamp fee. Non-hunting partners under 16 are not required to purchase a daily usage stamp.
 - G) No outboard motors are allowed by public – only by authorized DNR personnel.
 - H) No more than 3 persons shall occupy a blind at any one time.
 - I) All parties are required to report to check station within one hour after termination of hunt or no later than 2:00 p.m.
 - J) All parties must hunt over a minimum of ~~642~~ decoys and a maximum of 48 decoys can be used, which must be removed upon the termination of the hunt.
 - K) The first weekend and the third Saturday of the regular duck season shall be designated as youth hunt days. This shall consist of youth or youths 15 and under plus one adult per blind. There shall be no charge for the youth on these days. Those blinds not allocated to youths shall be available to adults on those days.
 - L) One blind shall be made available by priority claim to "disabled" persons (as defined in Section 2.33 of the Wildlife Code).
- 15) Fort de Chartres State Historic Site (1)
- A) Hunting is allowed from anchored, portable boat blinds only on a first come-first served basis.
 - B) Each hunting party is required to hunt over a minimum of ~~642~~ decoys which must be removed at the end of each hunting day.
 - C) No hunting is allowed during firearm deer season.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 16) Fort Massac State Park (Kerr Farm Unit Only) (1) (2)
- 17) Fox Ridge State Park (1) (2)
Hunting restricted to Embarras River and its flood waters.
- 18) Fox River (1)
 - A) Waterfowl hunting is prohibited on that portion of the Fox River running from the Kendall-Kane County line downstream to a line extending from the intersection of Route 71 and Douglas Street in Oswego, across the Fox River to the intersection of Hickory Lane and Riverview Drive.
 - B) Waterfowl hunting shall be from Department designated sites only on that portion of the Fox River downstream from the line extending from the intersection of Route 71 and Douglas Street in Oswego, across the Fox River to the intersection of Hickory Lane and Riverview Drive downstream to the Fox River Drive Bridge. Hunting at the designated sites will be on a first-come, first-served basis. Statewide regulations shall be in effect with no other Sections of this Part being applicable.
- 19) Fox River – Chain of Lakes (Lake and McHenry Counties) (1)
Waterfowl blind regulations of the Fox Waterway Agency are in full force and effect on those public waters under their jurisdiction. Failure to comply with such regulations constitutes a violation of this Section.
- 20) Freeman Mine State Habitat Area
Hunting regulations will be publicly announced.
- 21) Heidecke State Fish and Wildlife Area, Braidwood State Fish and Wildlife Area and Powerton Lake State Fish and Wildlife Area
 - A) Blind sites shall be allocated on a daily draw basis conducted at the check stations 60 minutes before hunting time. Hunters shall register as parties for the drawing; each party drawn shall be allowed to select blind site in order drawn; only those hunters registered in party shall be allowed to hunt with their party; no

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

more than 3 hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.

- B) Blind sites not selected during the drawing shall be allocated on a first-come, first-served basis. Vacant blind sites shall not be allocated after the drawing until one hour after legal hunting time. No blind sites shall be allocated after 10:00 a.m. Hunters wishing to move to another blind site must report this move to the check station attendant in person before such a move.
- C) Access to water blind sites must be by boat only and from designated boat launch sites.
- D) All hunting must be from portable boat blinds, within 10 yards of the assigned numbered stake or buoy. No more than 3 persons shall use one blind.
- E) Upon vacating blind sites, all hunters must report to the check station within one hour. At this time, waterfowl bagged must be checked in and displayed to the station operator and hunting licenses returned.
- F) Each hunting party is required to hunt over a minimum of ~~6~~⁴ decoys. Decoys must be picked up immediately after the hunt is over.
- G) Heidecke Lake and Braidwood Lake shall be closed to all fishing and boat traffic except for legal waterfowl hunters from 10 days prior to regular duck season until the close of the regular duck and Canada goose season. Powerton Lake shall be closed to boat traffic from 7 days prior to opening of regular duck season until February 15, except for legal waterfowl hunters, and closed to all unauthorized entry during the regular duck season.
- H) No hunting on Monday and Tuesday at Heidecke and Braidwood Lakes. No hunting at Powerton Lake on Monday through Thursday except hunting permitted on State holidays.
- I) It is unlawful to hunt waterfowl on the water area in any watercraft

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

less than 16 feet long and 60 inches in beam and without a gas-powered motor.

- J) No guns may be carried from water blinds to retrieve waterfowl that fall on land.
 - K) Hunting is closed on Christmas Day and New Year's Day.
 - L) All water areas not posted with blind site numbers shall be refuge and are closed to all boat traffic except by authorized personnel.
 - M) It is unlawful to shoot across any dike.
 - N) Waterfowl hunting shall close with the conclusion of the duck season at Powerton Lake. At Heidecke and Braidwood Lakes, waterfowl hunting closes at the end of duck or goose season, whichever is later. No goose hunting is allowed prior to duck season.
- 22) Henderson Creek State Fish and Wildlife Area (2)
 - 23) Hidden Springs State Forest (hunting restricted to Richland Creek and its floodwaters) (1) (2)
 - 24) Horseshoe Lake State Fish and Wildlife Area (Alexander County) Public Hunting Area
 - A) Closed to waterfowl hunting on Mondays and Tuesdays.
 - B) When duck season is closed, goose hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit.
 - 25) Horseshoe Lake Refuge

No hunting allowed, no boat motors except trolling motors will be allowed on Horseshoe Lake from October 15 to March 1.
 - 26) Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Unit

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Site permit required.

27) Jim Edgar Panther Creek State Fish and Wildlife Area

- A) Waterfowl hunting on Prairie Lake will be allowed on Wednesdays and Saturdays beginning the opening day of the controlled pheasant hunting season until the close of the controlled pheasant hunting season.
- B) Staked hunting sites shall be allocated on a daily draw basis conducted at 5:00 a.m. at the site office. Hunters shall register as parties for the drawing; each party drawn shall be allowed to select a hunt stake in order drawn; only those hunters registered in the party shall be allowed to hunt with the party; no more than 4 hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.
- C) Hunting hours will be legal opening shooting hours for Jim Edgar Panther Creek's respective Illinois waterfowl zone to 12:00 p.m.
- D) Access to water hunt stakes must be by boat only and from designated boat launch sites.
- E) Upon vacating hunt stakes, all hunters must report to the site office within one hour to sign out and report harvest.
- F) Each hunting party is required to hunt over a minimum of ~~6~~¹² decoys. Decoys must be picked up immediately after the hunt is over.
- G) Hunting shall take place from boats anchored within 10 yards of Department assigned hunt stakes only. Hunters must occupy hunt stakes within one hour after registering at the check station. No guns may be carried from hunt stakes to retrieve waterfowl that fall on land.
- H) Hunting is closed Christmas Day (December 25).

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- I) Hunting parties may move to unoccupied hunting stakes after 10:00 a.m. Hunting location moves need to be recorded when hunters check out after the hunt.
 - J) When it is deemed necessary, the Department shall remove, move or close hunt stakes in order to carry out the operations of the overall management program.
- 28) Kaskaskia River State Fish and Wildlife Area (1)
The last 3 days of both the duck season and the regular Canada goose season.
- A) No waterfowl hunters may remain in the area after 3:00 p.m. For those lands lying south of Illinois Route 154 and north of Illinois Route 13, the legal hunting hours shall be from statewide opening hour until statewide closing hour.
 - B) All waterfowl hunting parties must use at least ~~642~~ decoys. Hunting is allowed on a first-come, first-served basis.
 - C) It is unlawful to leave duck and goose decoys unattended. Decoys must be picked up at the end of each day's hunt.
 - D) All waterfowl hunters must register prior to hunting each day of the waterfowl season at the nearest check station, and must sign out and record their harvest daily before they exit the area.
 - E) The following regulations apply to the Doza Creek Waterfowl Management Area:
 - i) No waterfowl hunters may enter the area before 4:30 a.m. each day of the waterfowl hunting season. No waterfowl hunters may remain in the area after 3:00 p.m.
 - ii) Only waterfowl, coot, archery deer and fall archery turkey hunting (as provided by 17 Ill. Adm. Code 670 and 720) allowed in this area during the duck hunting season.
 - iii) For the first 4 days of the duck season, all waterfowl

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

hunting must occur within 10 yards of an assigned, numbered stake. Staked hunting locations shall be allocated on a daily draw basis at the Highway 154 Boat Ramp at 4:00 a.m. Hunters shall register as parties for the drawing; each party drawn shall be allowed to select a staked location in order drawn; only those hunters registered in a party shall be allowed to hunt with their party; no less than 2 hunters and no more than 4 hunters per party; moving from staked location to staked location is not allowed. Staked locations not allocated during the drawing will not be hunted that day. Starting on day 5 and for the remainder of the waterfowl season, hunting is allowed on a first-come, first-served basis and hunting need not occur by a stake. Waterfowl hunters must maintain a distance of 200 yards between hunting parties.

- iv) Electric trolling motors only may be used. All other motors must be removed or made inoperable.
- F) Handicapped accessible waterfowl hunting blind (Dry Lake Access Area)
 - i) Application for hunting dates should be received at the site office September 1-10 and will be allocated on a first request basis or via a drawing, if needed.
 - ii) Three hunters are allowed in the blind. At least one hunter must have a P-2 handicapped certification.
 - iii) Hunters must sign in/out and report harvest at check station after hunting.
- 29) Kickapoo State Recreation Area (2)
 - A) Hunting permitted only within 10 yards of staked sites.
 - B) Hunters must hunt in parties of no more than 4 hunters per party.
 - C) Hunters must sign in, sign out, and report harvest.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- D) Hunting hours are from legal opening to 1:00 p.m. during regular Illinois duck hunting season and statewide hours from the day after duck season closes until Canada goose season closes in the waterfowl hunting zone in which the site is located.
- 30) Kinkaid Lake State Fish and Wildlife Area (1)
 - 31) Lake Calumet and entrance channel to Calumet River (1)
 - 32) Lake Michigan (1)
 - 33) Mermet Lake State Fish and Wildlife Area
 - A) No fishing on the area during duck season.
 - B) Hunting hours are from legal opening until 1:00 p.m. each day, except the last 3 days of duck season, when hunting shall be allowed until sunset.
 - C) Manned check station will be closed Christmas Day and every Sunday and Monday during regular duck hunting season. Walk-in hunting will be allowed on Sundays and Mondays.
 - D) Blind/pool sites shall be allocated on a daily drawing basis at the manned waterfowl check station 90 minutes before legal hunting time (except Sunday and Monday when the manned check station is closed). One additional drawing will be held at the manned check station at 9 a.m. for any unoccupied waterfowl blinds/pools.
 - E) Hunters shall register as a party/group of up to 4 hunters for the drawing (except on the statewide youth waterfowl hunting day, as authorized in 17 Ill. Adm. Code 685.110(c) when 5 people may occupy a blind/pool at one time if the party includes 2 youth hunters); each party/group drawn shall be allowed to select a blind/pool in the order drawn; only those hunters registered in that party/group shall be allowed to hunt with the party.
 - F) Upon allocation of blinds/pools, all hunting parties/hunters must

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

accept and hunt the blind/pool chosen, or reject the allocation of the blind/pool immediately. All those rejecting the allocation of a blind/pool shall be ineligible to hunt within the blind/pool area for the remainder of that day. Individual hunters, or hunting parties, can only be allocated one blind/pool per day.

- G) Hunters must occupy their blinds/hunting area within one hour after registering at the manned check station.
- H) Waterfowl hunters must have their waterfowl hunting tag filled out with the date and blind/stake number or hunting location. The card must be in possession of the hunter while hunting. All waterfowl harvested must be reported on the waterfowl hunting tag and returned daily to the drop box at the hunter check station no later than 2:00 p.m.
- I) All hunters must park in designated areas only. All areas are marked with corresponding numbers or area designations. Only one vehicle per hunting party will be allowed, unless approval is granted by check station operator.
- J) Within the blind/pool area, a minimum of ~~6~~¹² decoys per hunting party are required while hunting waterfowl. No decoys are required within the walk-in areas. All decoys must be removed from the area at the end of the day's hunt.
- K) A 25 shotgun shell limit per hunter, per day, applies on this area. It is unlawful for a hunter to have in his or her possession more than 25 shotgun shells while on the site.
- L) Hunting must be from allocated blind (or within 10 yards of blind) or pool location. Hunters may hunt other designated waterfowl hunting areas that do not have blinds or pools; however, they must maintain a minimum distance of 200 yards from the nearest blind/pool or other hunting parties.
- M) Attempts to claim a blind/pool by any manner other than actual occupation shall be considered in violation of this Part and shall be cause for arrest. Insertion of a boat into a boat hide and/or the

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

spread of decoys before a blind/pool shall not be considered legal occupation of a blind/pool.

- N) Due to safety factors, persons under 16 years of age shall not hunt, or attempt to hunt, unless accompanied by a parent, legal guardian, or person designated by the parent or guardian who is 18 years of age or older.
 - O) Claiming or attempting to claim any blind/pool that is legally occupied and/or harassing, in any manner, the occupants of a blind/pool that is legally occupied is unlawful.
 - P) Boats without motors may be used within the walk-in areas.
- 34) Middle Fork State Fish and Wildlife Area (2)
- A) Hunting is restricted to the Vermilion River and its flood waters.
 - B) Hunters must hunt in parties of no more than 4 hunters per party.
 - C) Hunters must sign in, sign out, and report harvest.
 - D) Hunting hours are from legal opening to 1:00 p.m. during regular Illinois duck hunting season and statewide hours from the day after the duck season closes until the Canada goose season closes in the waterfowl hunting zone in which the site is located.
- 35) Newton Lake State Fish and Wildlife Area
- A) Blind sites shall be allocated by a daily drawing to be conducted at 4:30 a.m. Blind sites not selected during the drawing (or in the event that personnel are not available to conduct drawing) shall be allocated on a first-come, first-served basis until one hour before shooting time; and then after 9:00 a.m. All hunters must register before entering the hunting area. Hunting hours end at 1:00 p.m.; all hunters must be off the water or out of the field by 2:30 p.m. daily.
 - B) Upon vacating their blinds, all hunters must place their completed

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

harvest cards in the collection box located at the boat ramp or site headquarters.

- C) There will be duly posted waterfowl refuges. These areas shall be closed to all boat traffic and boat fishing during the waterfowl season.
- D) No more than 4 persons shall occupy a blind at one time.
- E) The west arm of the lake shall be closed to all waterfowl hunting.
- F) Blind sites shall be determined by the Department of Natural Resources and marked with numbered stakes. When it is deemed necessary, the Department shall remove, move or close blind sites in order to carry out the operations of the overall management program.
- G) Hunters wishing to move to another vacant blind location may do so on a first-come, first-served basis, providing they include the blind change on the harvest card and report their kill for each blind. If hunters do not occupy the stake they have drawn by legal shooting time, they forfeit the right to the staked hunting location.
- H) Access to water blind sites shall be by boat only and from the east side boat ramps. Access to land sites shall be by walk-in only and from nearby hunter parking lots. No parking is allowed along county roads.
- I) All water hunting must be from one portable blind or one anchored portable boat blind located between the assigned numbered stakes, no more than 10 yards from shore. All land hunting must be done from a position within 50 feet of the assigned numbered stake.
- J) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.
- K) Blind site water: A position between 2 like numbered stakes where a blind may be located. Blind site land: A position within

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

50 feet of numbered stakes where a hunter may set up or a temporary blind may be located.

- L) Fishing shall be prohibited in the east arm of the lake during the waterfowl season.
 - M) Each party must hunt over a minimum of ~~6+2~~ decoys, and all decoys must be removed at the end of each day's hunt.
 - N) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department will close the lake area to all fishing and all boating activity except for non-water hunting programs.
 - O) This site is closed to all users except firearm deer hunters during the firearms deer seasons.
 - P) During the last 3 days of Canada Goose season, hunting hours shall close at sunset daily.
- 36) Oakford State Conservation Area (2)
- 37) Pyramid State Park – Captain, Denmark, East Conant and Galum Units (2)
- A) Hunting hours are from legal opening to 1:00 p.m.; hunters must be out of the field by 2:00 p.m.
 - B) Each hunting party is required to hunt over a minimum of ~~6+2~~ decoys; all decoys must be picked up at the end of each day's hunt.
 - C) Hunters participating in daily lottery for blinds or staked sites must register as a group not to exceed 4 hunter names per card. A hunter's name may not appear on more than one lottery card.
 - D) Blind sites will be allocated by daily drawing during duck season at a location designated by the site beginning at 4:30 a.m. in November, 5:00 a.m. in December and 5:30 a.m. in January. All hunting must occur within 10 yards of an assigned, numbered stake, except for stakes identified at the check station where

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

hunters may hunt from any place in the wetland in which the stake is located. There will be no moving to staked locations after initial drawing.

- E) Successful participants must have their lottery card stamped with the date and blind number. The card must be in the possession of the hunter or group while hunting. Waterfowl harvested must be reported on blind selection card and returned daily to a hunter check station box.
- F) Waterfowl hunters not participating in daily draw must report their harvest on site hunting permit by February 15.
- G) Waterfowl hunters not participating in the daily lottery for staked sites may not access Pyramid State Park property until 4:30 a.m. in November, 5:00 a.m. in December and 5:30 a.m. in January.
- H) Waterfowl hunters may not hunt on main lakes other than staked locations, with the exceptions of Goldeneye and Redhead Lakes in the Galum Unit. Hunters may hunt crop fields and wetlands that have not been staked; however, they must be a minimum of 200 yards from the nearest staked location or another hunter.
- I) No waterfowl hunting is allowed within 200 yards of the Captain or Denmark Unit Waterfowl Rest Area or within 100 yards of any private property boundary.
- J) The land and water portion of the Captain Unit Waterfowl Rest Area is closed to all entry from October 28 through February 28. The location of the Captain Unit Waterfowl Rest Area is described as follows: All land and water west of Panda Bear Road north to Northern Haul Road, then south on Beltline Road to Western Haul Road, then east on Pyatt-Cutler Road.
- K) The land and water portion of the Denmark Unit Waterfowl Rest Area is closed to all entry from October 28 through February 28 and closed to all waterfowl hunting during other periods.
- L) After duck season is closed and during the Canada goose hunting

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

season, hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag.

- M) The area is closed to waterfowl hunting on Mondays and December 25.
- 38) Ray Norbut State Fish and Wildlife Area (1) (2)
- 39) Rend Lake Project Lands and Waters
- A) All waterfowl hunters and all boats must be out of the Casey Fork and Big Muddy subimpoundments by 2:00 p.m. each day of the waterfowl season and not return until 4:30 a.m., except during the last 3 days of the Canada goose season, hunters must be out of the areas by one hour after sunset and not return until 4:30 a.m.
 - B) No hunting permitted from the subimpoundment dams.
 - C) While waterfowl hunting, no one may have in his/her possession any tool or device designed to cut brush or limbs, except common hunting knives and pocket knives.
 - D) No waterfowl hunting permitted within 200 yards of the refuge boundary, or within 100 yards of any private property boundary.
 - E) All boat traffic is prohibited from entering the subimpoundments from the closing of youth waterfowl season until opening day of regular waterfowl season.
 - F) All waterfowl hunters must sign in prior to hunting and sign out and report their harvest at the end of each day's hunt.
 - G) Air boats will not be allowed in the Casey Fork Subimpoundment, the Big Muddy subimpoundment, and the impoundments on Corps of Engineers' managed areas such as Atchison Creek, Gun Creek and Rend City Wetland during the regular duck, youth waterfowl and Canada goose seasons. When ice conditions do not allow access at boat ramps by normal watercraft, then air boats can be used in the Casey Fork and Big

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Muddy subimpoundment.

- H) Permanent blinds at the Whistling Wings Access Area shall be regulated as follows:
- i) During goose season, a separate drawing will be held for the pits at Whistling Wings. This drawing will be held at the Cottonwood check station following the drawing for staked hunting sites. Hunters may not register for more than one drawing per day. Unsuccessful hunters in the drawing for Whistling Wings pits may select any unclaimed staked location after the drawings.
 - ii) Hunters who wish to hunt together must register as a hunting party and be present at the drawing.
 - iii) All hunters must have the registration card from the check station in their possession while hunting.
 - iv) Hunting parties can only hunt from the pit location that they chose in that day's drawing. No moving to or hunting from any other pit location is allowed.
 - v) No more than 6 dozen decoys may be used per pit.
 - vi) No more than 4 hunters will be allowed in a pit or hunting party.
- I) Each hunting party is required to hunt over a minimum of ~~642~~ decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.
- J) During the last 3 days of Canada goose season, hunting hours shall close at sunset daily.
- K) The land and water portion of the Rend Lake Refuge is closed to trespassing during waterfowl season. The location of the Rend Lake Refuge is described as follows:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- i) Bounded on the south by a buoy line, approximating the Jefferson-Franklin County Line.
 - ii) Bounded on the east by a buoy line and/or signs approximating the channel of the Casey Fork Creek.
 - iii) Bounded on the west by a buoy line and/or signs approximating the channel of the Big Muddy River.
 - iv) Bounded on the north portion of the Big Muddy River by a buoy line and/or signs approximating a line which would extend west from Ina, Illinois.
 - v) Bounded on the north portion of the Casey Fork Creek by the Casey Fork Subimpoundment Dam.
 - vi) Bounded on Nason Point by refuge boundary signs at project limits.
- L) After the close of regular duck season, goose hunters may not possess more than 5 shot shells for every Canada and white-front goose allowed in the daily bag limit.
- M) Staked Hunting Areas – Those areas designated as a staked hunting area will be publicly announced and the following regulations will apply:
- i) All hunting must occur within 10 yards of an assigned, numbered stake except for stakes identified at the check station where hunters may hunt from any place in the field in which the stake is located.
 - ii) Stakes will be assigned via a daily drawing held at 4:00 a.m. during November, 4:30 a.m. in December and 5:00 a.m. in January.
 - iii) Check station at the Bonnie Dam Access Area will be operated on a daily basis through the second weekend of the waterfowl season. Thereafter, Bonnie Dam check

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

station will only be open on weekends and holidays as posted at the check station. Cottonwood Access Area will be operated on a daily basis throughout the waterfowl season for both Bonnie Dam and Cottonwood Hunting Areas. Hunters who wish to hunt together at a staked location must register as a hunting party and be present for the drawing. Only those persons in that party may hunt at the assigned stake. No more than 5 persons shall be in a hunting party.

- iv) All hunters must register at the check station. Hunters arriving at the check station after the initial draw will have the opportunity to select any stakes that are still available up to one hour before legal shooting time. Hunters may enter the subimpoundment up to ½ hour before legal shooting time or between 9:00 a.m. and 9:30 a.m.
 - v) Hunting parties can only hunt from the staked hunting location that they chose in that day's drawing. No moving to or hunting from any other staked hunting location is allowed. Once a staked hunting location is killed out, no other hunting party may hunt from that stake for the remainder of that day.
 - vi) When hunting parties have killed their legal daily bag limit of ducks (not including coots and mergansers) and/or Canada geese in respect to the legal hunting season dates they must vacate the hunting site.
 - vii) Hunters must sign in and out and report their harvest on the cards at the access area where they launch.
- 40) Saline County State Conservation Area (1) (2)
- A) Waterfowl hunting is allowed north of the township road only.
 - B) Walk-in hunting only.
- 41) Sam Dale Lake State Fish and Wildlife Area (1) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 42) Sanganois State Fish and Wildlife Area
- A) Hunters using the main walk-in hunting area from opening day of the Central Zone duck season through the first Sunday of the Central Zone duck season must have a permit issued from the site office. Procedures for issuance of permits will be publicly announced.
 - B) Hunters using the walk-in area shall use the check station at the headquarters area located 8 miles northwest of Chandlerville just off Route 78 or the check station on the west side of the Illinois River one mile north of Browning near Route 100.
 - C) Walk-in waterfowl hunting shall be permitted only in the area posted for this purpose.
 - D) All hunters using a walk-in area must report to the check station to fill out information cards and to turn in hunting licenses or valid photo identification (example: Firearm Owner's Identification Card, driver's license) before proceeding to area.
 - E) Topper's Hole is a walk-in area accessed by boat only, no check-in, check-out, no permanent blinds, hunting parties must stay at least 200 yards apart, hunting parties shall hunt over no less than ~~6+2~~ decoys, daily hunting hours are legal shooting hours through 1:00 p.m. CST.
 - F) The Baker tract is a lottery-draw walk-in area with 4 separate hunting compartments. One party of hunters (up to 4 hunters per party) will be permitted to hunt in each hunting compartment. The allocation of the 4 Baker tract hunting compartments will be by drawing the morning of the hunt, 1 hour and 15 minutes prior to legal shooting hours on Tuesday, Thursday and Saturday of the Central Zone waterfowl season, except during firearm deer season, at which time the Baker tract is closed to waterfowl hunting. Parties must register for the draw together on the same card.
 - G) Upon the completion of hunting, hunters must report to the check

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

station within one hour.

- H) Fishing is prohibited in the impoundment areas during the duck season, except that walk-in only access for fishing from the bank is permitted after 1:00 p.m.
 - I) No person shall trespass on the Barkhausen Refuge during the period from October 1 through end of goose season.
 - J) No person shall trespass on the Marion-Pickerel Waterfowl Refuge during the period from October 1 through the last day of the waterfowl season, unless prior permission for a specific reason (such as access to private land or to retrieve dead or wounded game) is granted by the site superintendent.
 - K) When the Central Zone goose season extends beyond the duck season, goose hunting shall be permitted with statewide hunting hours in effect. Hunters need not occupy a blind. All hunting must be conducted within non-refuge areas.
 - L) No hunting permitted from the walk-in area subimpoundment levee.
 - M) Hunters may use boats without motors in the walk-in area; the construction and/or use of permanent blinds in the walk-in area is prohibited.
- 43) Sangchris Lake State Park
- A) During the last 3 days of the regularly scheduled Canada goose season, hunting hours will close at statewide closing.
 - B) Blind sites shall be allocated by a daily drawing to be conducted 90 minutes prior to hunting time. Blind sites not selected during the drawing (or in the event that personnel are not available to conduct the drawing) shall be allocated on a first-come, first-served basis. (During that portion of the Canada goose season that follows the duck season, the west side goose pit area, the west arm blind sites and east arm blind sites south of power lines shall be available for

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

goose hunting and shall be allocated on a daily drawing basis to be held at 5:30 a.m. daily.)

- C) During that portion of the light goose season which follows the regular Canada goose season, the west-side goose pit area blinds, and designated fields west of the west boat ramp shall be available daily on a first-come, first-served basis. Hunters must sign in at the appropriate parking area no earlier than 5 a.m.
- D) All hunting must be from registered blind sites only and hunters must occupy their blinds within one hour after registering at the check station.
- E) Upon vacating their blinds, hunters must place their completed harvest cards in the collection boxes located at either the east or west boatdock.
- F) There will be a duly posted waterfowl refuge. These areas shall be closed to all boat traffic (except as allowed in subsection (b)(43)(K)) and boat fishing during the waterfowl season. Bank fishing along the dam shall be permitted.
- G) No more than 4 persons shall occupy a blind at one time.
- H) The center arm of the lake shall be closed to all waterfowl hunting.
- I) Blind sites shall be determined by the Department of Natural Resources and marked with a numbered stake. When it is deemed necessary, the Department of Natural Resources shall remove, move or close blind sites in order to carry out the operations of the overall management program.
- J) Hunters wishing to move to another blind location may do so after 10 a.m. providing they include the blind change on the harvest card and report their kill for each blind.
- K) Access to water blind sites shall be by boat only and from designated boat launch sites. Corridors located along the edges of the existing refuge will be established to provide access to all

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

available blind sites as designated by site superintendent when conditions warrant.

- L) All hunting must be from one portable blind or one anchored portable boat blind located within a numbered cove and between the assigned numbered stakes or from one Department designated blind or pit.
- M) Crippled waterfowl that fall on land, other than areas designated as refuge, shall be retrieved by foot. However, no gun may be carried while attempting to recover such birds.
- N) No unauthorized pits or blinds shall be built on State managed land.
- O) Blind sites: A position between 2 like numbered stakes within a cove or other Department designated site where a blind may be located.
- P) Fishing shall be prohibited in the east and west arms of the lake during the period from 10 days prior to the duck season through the end of the duck season, unless the youth waterfowl hunt is more than 10 days before the regular duck season, then the east and west arms will be closed to accommodate the youth waterfowl hunt. Fishing shall be prohibited in the west arm of the lake and the east arm of the lake south of the power lines during that portion of the Canada goose season that follows the duck season.
- Q) Each party must hunt over a minimum of ~~64~~2 decoys, and all decoys must be removed at the end of each day's hunt.
- R) When it is deemed necessary for public safety reasons, such as flooding, high winds, or heavy fog, the Department of Natural Resources will close the lake area to all fishing and all boating activity except for non-water hunting programs.
- S) During flood conditions, waterfowl hunters may hunt the tailwaters of Sangchris Lake dam including Clear Creek and the South Fork of the Sangamon River. Decoys must be removed at the end of

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

each day's hunt.

- T) West-side goose pit area blinds will be available every day each week except Tuesday and Wednesday, through the regular Canada goose season, except for the Tuesday and Wednesday preceding the last day of the Canada goose season.
 - U) Hunters in the west-side goose pit area may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit after the close of the Central Zone duck season.
 - V) All blinds will be closed during the first day of the second firearm deer season; hunting hours will be from statewide hunting hours until 10:00 a.m. the remaining days of the second firearm deer season.
- 44) Shawnee National Forest, Upper and Lower Bluff Lakes
Goose hunting is prohibited at Lower Bluff Lake. Legal entry time is 4:30 a.m. and exit time is 2:00 p.m. for all hunters in flooded management compartments.
- 45) Shawnee National Forest, LaRue Scatters
All hunting must be by walking in or in boats without motors. Legal entry time is 4:30 a.m. and exit time is 2:00 p.m. for all hunters in flooded management compartments.
- 46) Shawnee National Forest, Oakwood Bottoms (Green Tree Reservoir west of the Big Muddy levee)
- A) All hunting must be by walking into the area.
 - B) Each hunting party must hunt over a minimum of ~~6~~¹² decoys in Compartments 19, 20 and 21.
 - C) No person shall tamper with or attempt to manipulate any of the gates, pumps or structures in the subimpoundment area.
 - D) Legal entry time is 4:30 a.m. and exit time is 2:00 p.m. for all hunters in flooded management compartments.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 47) Shelbyville State Fish and Wildlife Area (2)
- A) Waterfowl hunting shall be permitted as described in this subsection (b)(47) except in duly posted restricted and "No Hunting" areas.
 - B) Waterfowl hunting in the Fish Hook, North Dunn, McGee, and Jonathan Creek Waterfowl Areas shall be allotted by a daily drawing for the first 2 days of the regular waterfowl season. Parties must register for drawings between 4:00 a.m. and 5:00 a.m. Central Standard Time at the check station on those days. Each party drawn shall be allowed to choose one of the staked sites in the waterfowl area. Parties must select sites in the order they are drawn. Maximum party size is 4 persons. In addition, the following regulations shall apply.
 - i) All parties must hunt within 10 yards of their assigned stake.
 - ii) All parties must be in place by ½ hour before hunting time.
 - iii) All parties are required to report their harvest by 2:00 p.m. following each hunt.
 - C) Hunting in the Jonathan Creek, North Dunn and McGee Waterfowl Areas shall be restricted to designated, staked sites on a first-come, first-served basis except as noted in this subsection (b)(47)(C). Hunting in the Fish Hook Area shall be restricted to designated, staked sites on a first-come, first-served basis for the first 14 days of the Illinois Central Zone duck season, except as noted in this subsection (b)(47)(C). A hunting party must hunt within 10 yards of the stake.
 - D) Each hunting party in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas is required to hunt over a minimum of ~~612~~ decoys.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- E) Motors of over 10 horsepower shall not be operated in the Fish Hook, Jonathan Creek, Dunn and McGee Waterfowl Areas.
 - F) Waterfowl hunting only is permitted in the Fish Hook, Dunn, Jonathan Creek and McGee Waterfowl Areas during the regular waterfowl season, except that pheasant, rabbit and quail hunting is permitted after 1:00 p.m. daily beginning the day after the close of the Central Zone Duck Season.
 - G) During the regular waterfowl season, only licensed waterfowl hunters with valid site waterfowl permits who are in the pursuit of waterfowl are permitted on the Kaskaskia River from the Strickland Boat Access north to the Illinois Central Railroad bridge from ½ hour before sunrise until 1:00 p.m.
- 48) Sielbeck Forest State Natural Area (1) (2)
- 49) Stephen A. Forbes State Recreation Area
- A) On the main lake hunting is allowed from a boat blind only in the designated areas.
 - B) Only walk-in hunting is allowed in the subimpoundment.
 - C) Hunting shall be allowed on a first-come, first-served basis. All hunters must use ~~642~~ decoys, minimum.
 - D) Hunters must sign in and out and report harvest.
- 50) Ten Mile Creek State Fish and Wildlife Area (1) (2)
- A) Each hunting party is required to hunt over a minimum of ~~642~~ decoys at each blind site, and all decoys must be picked up at the end of each day's hunt.
 - B) Areas designated as Rest Areas are closed to all access during the Canada Goose Season only.
- 51) Turkey Bluffs State Fish and Wildlife Area (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

All hunters must sign in and out and report kill.

- 52) Union County State Fish and Wildlife Area (Firing Line Waterfowl Management Area)
- A) Blind and stake sites shall be allocated on a daily draw basis at the site shop building 60 minutes prior to hunting time. Hunters shall register as parties for the drawing; each party drawn shall be allowed to select a blind or stake site in order drawn; only those hunters registered in a party shall be allowed to hunt with their party; no less than 2 hunters and no more than 4 hunters per party; persons under the age of 16 shall not be allowed to hunt unless accompanied by an adult.
 - B) Blinds and stakes not allocated during the drawing will not be hunted that day. Moving from location to location is not allowed.
 - C) Access to hunting sites is from the hunter parking lot located south of the blind area only.
 - D) Each hunting party must hunt over a minimum of ~~6~~¹² decoys. Decoys must be picked up immediately after the hunt is over.
 - E) Hunting hours end at 12:00 p.m. and all hunters must be out of the area by 1:00 p.m. Daily entry into the area is restricted until after the drawing for hunting sites.
 - F) Area closed to hunting on Mondays, Tuesdays and December 24-28. The site shall be open only for the Illinois Youth Waterfowl Hunt on December 28, pursuant to 17 Ill. Adm. Code 685.110.
 - G) When duck season is closed, hunters may not possess more than 5 shot shells for every Canada goose allowed in the daily bag limit.
- 53) Weinberg-King State Park – Spunky Bottoms Unit (1) (2)
- 54) Wise Ridge State Natural Area (1)

(Source: Amended at 44 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: White-Tailed Deer Hunting By Use of Firearms
- 2) Code Citation: 17 Ill. Adm. Code 650
- 3) Section Number: 650.22 Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.20, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to amend procedures at special hunt areas.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

John Heidinger, Legal Counsel
Department of Natural Resources
One Natural Resources
Springfield IL 62702

217/557-6379

- 13) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2020

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 650
WHITE-TAILED DEER HUNTING BY USE OF FIREARMS

Section

650.10	Statewide Season and Permit Quotas
650.20	Statewide Deer Permit Requirements
650.21	Deer Permit Requirements – Landowner/Tenant Permits
650.22	Deer Permit Requirements – Special Hunts
650.23	Deer Permit Requirements – Group Hunt
650.30	Statewide Requirements for Hunting Devices
650.40	Statewide Deer Hunting Rules
650.45	Reporting Harvest
650.50	Rejection of Application/Revocation of Permits
650.60	Regulations at Various Department-Owned or -Managed Sites
650.65	Youth Hunt (Repealed)
650.66	Special Hunts for Young Hunters
650.67	Special Hunts for Disabled Hunters
650.70	Special Extended Season Firearm Deer Hunt (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.20, 2.24, 2.25, 2.26, 2.33 and 3.36 of the Wildlife Code [520 ILCS 5].

SOURCE: Adopted at 5 Ill. Reg. 9771, effective September 17, 1981; codified at 5 Ill. Reg. 10640; amended at 6 Ill. Reg. 10730, effective August 20, 1982; amended at 7 Ill. Reg. 10798, effective August 24, 1983; amended at 8 Ill. Reg. 21602, effective October 23, 1984; amended at 9 Ill. Reg. 16213, effective October 10, 1985; emergency amendment at 9 Ill. Reg. 20922, effective December 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4223, effective February 25, 1986; amended at 10 Ill. Reg. 16665, effective September 22, 1986; amended at 11 Ill. Reg. 3044, effective February 3, 1987; amended at 11 Ill. Reg. 9564, effective May 5, 1987; amended at 12 Ill. Reg. 8003, effective April 25, 1988; amended at 12 Ill. Reg. 12055, effective July 11, 1988; amended at 13 Ill. Reg. 12853, effective July 21, 1989; amended at 14 Ill. Reg. 12430, effective July 20, 1990; amended at 14 Ill. Reg. 19869, effective December 3, 1990; amended at 15 Ill. Reg. 10038, effective June 24, 1991; emergency amendment at 15 Ill. Reg. 15790, effective October 22, 1991, for a maximum of 150 days; emergency expired March 21, 1992; amended at 16 Ill. Reg. 11131, effective June 30, 1992; amended at 17 Ill. Reg. 13468,

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

effective July 30, 1993; amended at 18 Ill. Reg. 5859, effective April 5, 1994; amended at 18 Ill. Reg. 13431, effective August 23, 1994; amended at 19 Ill. Reg. 6477, effective April 28, 1995; amended at 20 Ill. Reg. 7515, effective May 20, 1996; amended at 21 Ill. Reg. 5572, effective April 19, 1997; amended at 21 Ill. Reg. 9116, effective June 26, 1997; amended at 22 Ill. Reg. 8007, effective April 28, 1998; amended at 23 Ill. Reg. 5564, effective April 26, 1999; amended at 24 Ill. Reg. 8971, effective June 19, 2000; amended at 24 Ill. Reg. 10260, effective July 1, 2000; amended at 25 Ill. Reg. 7231, effective May 22, 2001; amended at 26 Ill. Reg. 9319, effective June 17, 2002; amended at 27 Ill. Reg. 10009, effective June 23, 2003; emergency amendment at 27 Ill. Reg. 17270, effective November 10, 2003, for a maximum of 150 days; Section 650.60 of the emergency rules expired April 8, 2004; amended at 28 Ill. Reg. 353, effective December 19, 2003; amended at 28 Ill. Reg. 8039, effective May 26, 2004; amended at 29 Ill. Reg. 9718, effective June 24, 2005; emergency amendment at 29 Ill. Reg. 13025, effective August 10, 2005, for a maximum of 150 days; emergency expired January 1, 2006; amended at 30 Ill. Reg. 12155, effective June 28, 2006; amended at 31 Ill. Reg. 8169, effective May 25, 2007; amended at 32 Ill. Reg. 9300, effective June 13, 2008; amended at 33 Ill. Reg. 11534, effective July 27, 2009; amended at 34 Ill. Reg. 4800, effective March 19, 2010; amended at 35 Ill. Reg. 10710, effective June 23, 2011; amended at 36 Ill. Reg. 13419, effective August 10, 2012; amended at 37 Ill. Reg. 14888, effective August 30, 2013; amended at 38 Ill. Reg. 22742, effective November 18, 2014; amended at 39 Ill. Reg. 7643, effective May 18, 2015; amended at 40 Ill. Reg. 10545, effective July 20, 2016; amended at 41 Ill. Reg. 8639, effective June 28, 2017; amended at 41 Ill. Reg. 15784, effective December 18, 2017; amended at 42 Ill. Reg. 13114, effective June 22, 2018; amended at 43 Ill. Reg. 9518, effective August 23, 2019; amended at 44 Ill. Reg. _____, effective _____.

Section 650.22 Deer Permit Requirements – Special Hunts

- a) Special hunt sites are defined as those sites that are owned or controlled by agencies/entities other than the Department, or sites at which the Department only controls a portion of the property designated for deer hunting, that issue deer hunting permits through the statewide lottery process. The Permit Office issues deer hunting permits through a computerized drawing for the following sites, in addition to the Department-owned or -managed sites listed in Section 650.60(i). The permit preference system does not apply to special hunt areas or to State sites allocating permits in the lottery.

Crab Orchard National Wildlife Refuge (the first and second season are considered separate hunt choices, and permit applicants must specify which season they are applying for in the County Choice or Hunt Area field of the application; permits may be issued as antlerless-only without the normal bonus

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

requirement; standby hunting will be allowed if additional permits are available at the site)

Crab Orchard National Wildlife Refuge – Disabled Hunt (first season only)

Joliet Army Training Area (Will County)

Lake Shelbyville Project Lands – Disabled Hunt (first season only; permit drawing will be conducted by Corps of Engineers' staff with permits mailed to successful applicants by the Department; contact Corps of Engineers, Lake Shelbyville office for application procedures/dates; additional permits will be available for purchase at the site for any unfilled positions)

Lake Shelbyville Project Lands (Moultrie County) (it is unlawful to drive deer; for Corps of Engineers managed lands not managed by IDNR, contact Corps of Engineers, Lake Shelbyville office for specific deer hunting policy)

Lake Shelbyville Project Lands except Wolf Creek State Park (Shelby County) (it is unlawful to drive deer; for Corps of Engineers managed lands not managed by IDNR, contact Corps of Engineers, Lake Shelbyville office for specific deer hunting policy)

Lost Mound Unit – Upper Mississippi River National Wildlife and Fish Refuge, including Stewardship Park and Eagles Landing (DNR owned) (Saturday and Sunday of the first firearm deer season only; hunters must attend a preseason orientation meeting to be eligible to hunt, [bonus antlerless-only permits will be sold at site](#))

Lost Mound Unit – Upper Mississippi River National Wildlife and Fish Refuge, including Stewardship Park and Eagles Landing (DNR owned) – Disabled Hunt (Friday, Saturday and Sunday prior to the first statewide firearm deer season only; permit drawing will be conducted by USFWS; preference given to disabled hunters; either-sex permits; bonus antlerless-only permits and one-day standby permits will be sold at site)

Midewin National Tallgrass Prairie (no handguns allowed; additional site pass is required; check-in, check-out and reporting of harvest is required)

Rend Lake Project Lands – Disabled Hunt (first season only; permit drawing will

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

be conducted by Corps of Engineers staff with permits mailed to successful applicants by the Department; contact Corps of Engineers, Rend Lake Office for application procedures/dates; additional permits will be available for purchase at the site for any unfilled positions)

- b) Providing false information on an application is a Class A misdemeanor (see 520 ILCS 5/2.38). Hunting deer prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a \$500 minimum and \$5,000 maximum fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(y)). Taking an antlered deer with an antlerless permit is a Class B misdemeanor (see 520 ILCS 5/2.24). Hunting after sunset or outside the set season is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 44 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: White-Tailed Deer Hunting By Use of Bow and Arrow
- 2) Code Citation: 17 Ill. Adm. Code 670
- 3) Section Number: 670.60 Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.5, 2.20, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to make Statewide program changes, open and close State-owned or -managed sites, and amend procedures at State sites.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place, and Manner in which interested persons may comment on this rulemaking:

John Heidinger, Legal Counsel
Department of Natural Resources
One Natural Resources
Springfield IL 62702

217/557-6379
- 13) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2020

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 670
WHITE-TAILED DEER HUNTING BY USE OF BOW AND ARROW

Section

670.10	Statewide Open Seasons and Counties
670.20	Statewide Deer Permit Requirements
670.21	Deer Permit Requirements – Landowner/Tenant Permits
670.30	Statewide Legal Bow and Arrow
670.40	Statewide Deer Hunting Rules
670.50	Rejection of Application/Revocation of Permits
670.55	Reporting Harvest
670.60	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.2, 1.3, 1.4, 2.1, 2.2, 2.5, 2.20, 2.24, 2.25, 2.26, 2.33, 3.5 and 3.36 of the Wildlife Code [520 ILCS 5].

SOURCE: Adopted at 5 Ill. Reg. 8888, effective August 25, 1981; codified at 5 Ill. Reg. 10641; emergency amendment at 5 Ill. Reg. 11402, effective October 14, 1981, for a maximum of 150 days; emergency expired March 13, 1982; amended at 6 Ill. Reg. 10721, effective August 20, 1982; emergency amendment at 6 Ill. Reg. 15581, effective December 14, 1982, for a maximum of 150 days; emergency expired May 13, 1983; amended at 7 Ill. Reg. 10790, effective August 24, 1983; amended at 8 Ill. Reg. 19004, effective September 26, 1984; amended at 9 Ill. Reg. 14317, effective September 9, 1985; amended at 10 Ill. Reg. 16658, effective September 22, 1986; amended at 11 Ill. Reg. 2275, effective January 20, 1987; amended at 12 Ill. Reg. 12042, effective July 11, 1988; amended at 13 Ill. Reg. 12839, effective July 21, 1989; amended at 14 Ill. Reg. 14787, effective September 4, 1990; amended at 14 Ill. Reg. 19859, effective December 3, 1990; amended at 15 Ill. Reg. 10021, effective June 24, 1991; amended at 15 Ill. Reg. 16691, effective October 31, 1991; amended at 16 Ill. Reg. 11116, effective June 30, 1992; amended at 17 Ill. Reg. 286, effective December 28, 1992; amended at 17 Ill. Reg. 13452, effective July 30, 1993; amended at 18 Ill. Reg. 5842, effective April 5, 1994; amended at 19 Ill. Reg. 7560, effective May 26, 1995; amended at 19 Ill. Reg. 15411, effective October 26, 1995; amended at 20 Ill. Reg. 6723, effective May 6, 1996; amended at 21 Ill. Reg. 5561, effective April 19, 1997; amended at 22 Ill. Reg. 7995, effective April 28, 1998; amended at 23 Ill. Reg. 6829, effective May 20, 1999; amended at 24 Ill. Reg. 6908, effective April 20, 2000; amended at 25 Ill. Reg. 7217, effective May 22, 2001; amended at 25 Ill. Reg. 11471, effective August 14, 2001;

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

amended at 26 Ill. Reg. 9356, effective June 17, 2002; amended at 27 Ill. Reg. 10025, effective June 23, 2003; amended at 28 Ill. Reg. 9968, effective July 6, 2004; amended at 29 Ill. Reg. 9761, effective June 24, 2005; amended at 30 Ill. Reg. 12196, effective June 28, 2006; amended at 31 Ill. Reg. 8202, effective May 25, 2007; amended at 32 Ill. Reg. 9337, effective June 13, 2008; amended at 33 Ill. Reg. 11571, effective July 27, 2009; amended at 34 Ill. Reg. 4839, effective March 19, 2010; amended at 35 Ill. Reg. 10739, effective June 23, 2011; amended at 36 Ill. Reg. 13450, effective August 10, 2012; amended at 37 Ill. Reg. 14926, effective August 30, 2013; amended at 38 Ill. Reg. 22752, effective November 18, 2014; amended at 39 Ill. Reg. 10905, effective July 27, 2015; emergency amendment at 39 Ill. Reg. 13125, effective September 3, 2015, for a maximum of 150 days; amended at 39 Ill. Reg. 14568, effective October 20, 2015; amended at 40 Ill. Reg. 829, effective December 29, 2015; amended at 40 Ill. Reg. 10579, effective July 20, 2016; amended at 41 Ill. Reg. 8679, effective June 28, 2017; amended at 42 Ill. Reg. 17610, effective September 21, 2018; amended at 43 Ill. Reg. 9537, effective August 23, 2019; amended at 44 Ill. Reg. _____, effective _____.

Section 670.60 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 (General Hunting and Trapping) apply in this Section, unless this Section is more restrictive.
- b) It is unlawful to drive deer, or participate in a deer drive, on all Department-owned or -managed properties. A deer drive is defined as a deliberate action by one or more persons (whether armed or unarmed) whose intent is to cause deer to move within archery range of one or more participating hunters.
- c) Only one tree stand or ground blind is allowed per deer permit holder. Tree stands and ground blinds must comply with restrictions listed in 17 Ill. Adm. Code 510.10(c)(3) and (c)(12) and must be portable. Tree stands and ground blinds must be removed at the end of each day with the exception that they may be left unattended from September 15 through January 31 at those sites listed in this Section that are followed by a (1). Any tree stand or ground blind left unattended must be legibly marked with the owner's name, address, and telephone number, or site assigned identification number.
- d) Check-in, check-out, and reporting of harvest is required at those sites listed in this Section that are followed by a (2). Sites that require use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 are followed by a (6).
- e) Where standby hunters are used to fill quotas, a drawing will be held at sites

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

indicated by a (3).

- f) Only antlerless deer or antlered deer having at least 4 points on one side may be harvested at those sites listed in this Section that are followed by a (4).
- g) Only antlerless deer or antlered deer having at least 5 points on one side may be harvested at those sites listed in this Section that are followed by a (5).
- h) Statewide regulations shall apply at the following sites:

Alvah Borah State Habitat Area (6)

- * Anderson Lake State Fish and Wildlife Area (1) (2)

Apple River Canyon State Park – Thompson and Salem Units (6)

Argyle Lake State Park (1) (6)

- * Banner Marsh State Fish and Wildlife Area (statewide hunting hours except during the Central Zone duck season hunting hours 1:00 p.m. until ½ hour after sunset) (1) (2)

- * Beall Woods State Park (1) (6)

- * Big Bend State Fish and Wildlife Area (1) (2)

Big Grand Pierre Glade State Natural Area (1)

Big River State Forest (1) (6)

Bradford Pheasant Habitat Area (October 1-31 only) (6)

Buffalo Rock State Park/Blackball Mines Nature Preserve (2)

Burning Star State Fish and Wildlife Area (6)

Butterfield Trail State Recreation Area (6)

Cache River State Natural Area (1) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Campbell Pond State Fish and Wildlife Area (1) (6)

Cape Bend State Fish and Wildlife Area (1) (2)

Carlyle Lake Lands and Waters (Corps of Engineers managed lands, except Jim Hawn and East Spillway Areas)

* Carlyle Lake Lands and Waters (Corps of Engineers managed lands – Jim Hawn and East Spillway Areas)

Carlyle Lake State Fish and Wildlife Area (except subimpoundment area is closed 7 days prior to and during the regular waterfowl season; lands bounded on the east by "C" levee, south by "D" levee, west by ACOE property line, and including the posted area west of parking lot #2, will be open the entire archery deer hunting season) (6)

Castle Rock State Park (submission of all deer heads within 48 hours after harvest on site is required to test for the presence of Chronic Wasting Disease) (1) (6)

Cedar Glen State Natural Area (no hunting after December 15) (1) (6)

Chauncey Marsh State Natural Area (permit obtained at Red Hills State Park headquarters) (1) (6)

Clinton Lake State Recreation Area (6)

Coffeen Lake State Fish and Wildlife Area (6)

Collier Limestone Glade State Natural Area (1)

Copperhead Hollow State Wildlife Area (1) (6)

Crawford County State Conservation Area (1) (6)

Cretaceous Hills State Natural Area (1) (6)

Cypress Creek National Wildlife Refuge

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Cypress Pond State Natural Area (1) (2)

Deer Pond State Natural Area (1) (2)

Des Plaines Game Propagation Center (closed Saturdays and Sundays in October and Sundays in November, December and January) (2)

Des Plaines State Conservation Area (no hunting is permitted Wednesday through Sunday of the site's permit pheasant season) (6)

Devil's Island State Wildlife Management Area

Dixon Springs State Park (1) (6)

Dog Island State Wildlife Management Area (1) (6)

Dublin Highlands Pheasant Habitat Area (opens statewide opening date; however, site closes for archery deer hunting at the end of legal shooting hours the day preceding the opening of the North Zone upland season and reopens the day after the close of the North Zone upland season and runs until the statewide season closes; submission of all deer heads within 48 hours after harvest on site is required to test for the presence of Chronic Wasting Disease) (1) (2)

* Eagle Creek State Park (for Corps of Engineers managed lands not managed by DNR, contact Corps of Engineers, Lake Shelbyville office for specific deer hunting policy) (6)

Eldon Hazlet State Park (archery hunting is closed in the designated controlled pheasant hunting area on days when the controlled pheasant hunting program is in operation) (6)

Embarras River Bottoms State Habitat Area (1) (6)

Ferne Clyffe State Park (1) (2)

Finckh State Habitat Area (October 1-31 only; eligible hunters required to obtain Clinton Lake State Recreation Area site hunting permit) (6)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Flag Pond State Natural Area (1)

Flatwoods State Natural Area (1) (6)

Fort de Chartres State Historic Site (1) (2)

* Fort Kaskaskia State Historic Site (opens November 1) (2)

Fort Massac State Park (1) (6)

Fox Ridge State Park (1) (6)

Franklin Creek State Natural Area (submission of all deer heads within 48 hours after harvest on site is required to test for the presence of Chronic Wasting Disease) (6)

French Bluff State Natural Area (6)

George S. Park Memorial Woods State Natural Area (2)

Giant City State Park (1) (2)

Goose Lake Prairie State Natural Area/Heidecke State Fish & Wildlife Area (archery deer hunting is closed during the muzzleloader deer season) (6)

Green River State Wildlife Area (1) (6)

Hallsville State Habitat Area (October 1-31 only; eligible hunters will use Clinton Lake State Recreation Area site hunting permit) (1) (6)

Hamilton County State Conservation Area (1) (6)

Hanover Bluff State Natural Area (6)

Harry "Babe" Woodyard State Natural Area (6)

Henry Allen Gleason State Natural Area (6)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Hidden Springs State Forest (1) (6)

Hindsboro State Habitat Area (October 1 through October 31 only) (1) (6)

Horseshoe Lake State Conservation Area – Alexander County (Controlled Goose Hunting Area – open from October 1-31; reopens with the close of the Quota Zone goose season through statewide closing; remainder of the Public Hunting Area open during statewide season) (1) (2)

Ilo Dillin State Habitat Area (hunting allowed during October only) (6)

Iroquois County State Wildlife Area/Hooper Branch only (1) (2) (6)

Johnson-Sauk Trail State Park (statewide regulations apply, except that, on Wednesdays through Sundays of the site's permit pheasant season, hunting only allowed 2:00 p.m. until sunset) (1) (6)

Jubilee College State Park (2)

Kankakee River State Park (deer bow hunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange/pink between 9:00 a.m. and 3:00 p.m. on days when upland game hunting is allowed during the site's controlled hunting season; a limited hunting opportunity for persons with disabilities, Class P2A, exists at the Davis Creek Bike Trail Area; disabled hunters must register to hunt at the site office and must sign in and out daily; disabled hunters are required to hunt with a non-disabled partner who may also hunt from predetermined locations during the disabled hunting season (November 1 to the day before the first firearm deer season, except campground blinds will remain open until the close of the archery deer season and do not require a partner to hunt) (6)

Kaskaskia River State Fish and Wildlife Area (the State-owned portion of the defined waterfowl rest area is open until 2 weeks prior to the start of the regular duck season through the close of the regular duck and Canada goose seasons; no hunting within 50 yards of the Baldwin Lake Waterfowl Rest Area's main north-south road) (1) (2 – except south of Highway 154 and north of Highway 13)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Kickapoo State Recreation Area (6)

Kidd Lake State Natural Area (1)

Kinkaid Lake State Fish and Wildlife Area (1) (2)

Kishwaukee River State Fish and Wildlife Area (submission of all deer heads within 48 hours after harvest on site is required to test for the presence of Chronic Wasting Disease) (6)

Lake Le Aqua Na State Park (submission of all deer heads within 48 hours after harvest on site is required to test for the presence of Chronic Wasting Disease) (6)

Larry D. Closson Habitat Area (October 1-31 only) (1)

Lincoln Trail State Park (November 1 through the end of statewide season; open to archery deer hunting during statewide firearm deer seasons) (2)

Little Rock Creek State Habitat Area (opens statewide opening date; however, site closes for archery deer hunting at the end of legal shooting hours the day preceding the opening of the north zone upland season and reopens the day after the close of the north zone upland season and runs until the statewide season closes) (1) (2)

Lowden-Miller State Forest (submission of all deer heads within 48 hours after harvest on site is required to test for the presence of Chronic Wasting Disease) (1) (6)

Lowden State Park (in October, hunting allowed on Mondays, Tuesdays, Wednesdays and Thursdays only, excluding official State holidays; beginning November 1, archery hunting is allowed 7 days a week) (1) (6)

Lusk Creek Canyon State Natural Area (1)

Mackinaw River State Fish and Wildlife Area (1) (6)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Marseilles State Fish and Wildlife Area (closed Friday, Saturday, and Sunday in October only; no hunting after the first Thursday after January 10; all tree stands must be removed from this area no later than the last day of the season; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may enter the site only from designated parking lots) (1) (2)

Marshall State Fish and Wildlife Area (Duck Ranch Unit closed 7 days prior to the duck season through the close of duck season) (6)

Mautino State Fish and Wildlife Area (1) (6)

Maxine Loy Land and Water Reserve (6)

Maytown Pheasant Habitat Area (hunting allowed during October only) (6)

Mazonia/Braidwood State Fish and Wildlife Area (2) (4) (6)

Meeker State Habitat Area (1) (6)

Mermet Lake State Conservation Area (1) (6)

Middle Fork State Fish and Wildlife Area (6)

Midewin National Tallgrass Prairie (additional site hunting pass required) (2)

Miller-Anderson Woods State Natural Area (2)

Mississippi Palisades State Park (closed during the first firearm deer season) (1) (6)

Mississippi River Pool 16 (1)

Mississippi River Pools 17, 18 (1)

Mississippi River Pools 21, 22, 24 (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Mississippi State Fish and Waterfowl Management Area – Pools 25 and 26 (Batchtown, Crull Hollow and Godar Waterfowl Rest Areas are closed to hunting beginning 14 days before regular duck season; areas reopen to hunting the day after duck season closes; it is unlawful to trespass upon the designated duck hunting areas between sunset of the Sunday immediately preceding opening day of regular duck season through the day before regular duck season as posted at the site; no deer hunting is allowed within 200 yards of an occupied duck blind; during duck season only, deer hunters may not access the designated duck hunting areas by launching a boat at certain specifically posted boat ramps; boat ramps reopen to deer hunters the day after duck season closes; hunting is allowed at Red's Landing and Riprap Landing walk-in areas from 12:00 p.m. to ½ hour after sunset during duck season, statewide hours during remainder of season) (1)

Mitchell's Grove State Nature Preserve (antlerless deer only in October; either-sex deer from November 1 until the end of the statewide season; closed during the muzzleloading deer season) (2)

Momence Wetlands State Natural Area (1) (6)

Moraine View State Park (archery deer hunting closed Wednesday through Sunday during the controlled pheasant season) (1) (6)

Morrison Rockwood State Park (opens on the day following the close of the first firearm deer season) (1) (2)

* Mt. Vernon Propagation Center (1) (2)

Nauvoo State Park (Max Rowe Unit Only) (6)

Newton Lake State Fish and Wildlife Area (6)

Oakford State Conservation Area

Paul C. Burrus State Habitat Area (formerly Hurricane Creek State Habitat Area) (hunter quotas filled by drawing) (1) (6)

* Peabody River King State Fish and Wildlife Area (East subunit closes

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

November 1) (1) (2)

* Pekin Lake State Fish and Wildlife Area (1) (6)

Pere Marquette State Park (1) (6)

Prairie Ridge State Natural Area (1) (6)

Pyramid State Park (4) (6)

Pyramid State Park – Captain Unit (4) (6)

Pyramid State Park – Denmark Unit (4) (6)

Pyramid State Park – East Conant Unit (4) (6)

Pyramid State Park – Galum Unit (4) (6)

Rall Woods State Natural Area (6)

* Ramsey Lake State Park (6)

* Randolph County State Conservation Area (1) (2)

Rauchfuss Hill State Recreation Area (1) (6)

Ray Norbut State Fish and Wildlife Area (6)

Ray Norbut State Fish and Wildlife Area – Dutch Creek Unit (6)

Ray Norbut State Fish and Wildlife Area – East Hannibal Unit (6)

* Red Hills State Park (1) (6)

Rend Lake State Fish and Wildlife Area (refuge only (south of site headquarters) from October 1 through October 31; an antlerless deer must be taken on the site before an antlered deer is harvested) (2)

Rend Lake State Fish and Wildlife Area and Corps of Engineers managed

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

areas of Rend Lake

Revis Hill Prairie State Natural Area (6)

- * Rice Lake State Fish and Wildlife Area (statewide hunting hours, except that, during the Central Zone duck season, hunting hours 1:00 p.m. until ½ hour after sunset) (1) (2)

- * Rockton Bog State Natural Area (6)

Sahara Woods State Fish and Wildlife Area (6)

Saline County State Fish and Wildlife Area (1) (6)

- * Sam Dale Lake State Fish and Wildlife Area (1) (6)

- * Sam Parr State Park (1) (2)

Sandy Ford State Natural Area (antlerless deer only in October; either-sex deer from November 1 until the end of the statewide season; archery deer hunting is closed during the muzzleloader deer season) (2)

Sangamon County State Conservation Area (1)

Sanganois State Wildlife Area (Ash Swale Waterfowl Rest Area will be closed to deer hunting during the waterfowl hunting seasons) (1) (6)

Sand Ridge State Forest (6)

- * Shabbona Lake State Park (submission of all deer heads within 48 hours after harvest on site is required to test for the presence of Chronic Wasting Disease) (6)

Shelbyville State Fish and Wildlife Area (for Corps of Engineers managed lands not managed by DNR, contact Corps of Engineers, Lake Shelbyville office for specific deer hunting policy) (1) (6)

Sielbeck Forest State Natural Area (1) (6)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Siloam Springs State Park (4) (6)

Siloam Springs State Park (Fall Creek Unit) (6)

Siloam Springs State Park – Buckhorn Unit (resident hunters only) (4) (6)

* Silver Springs State Park (2)

Skinner Farm State Habitat Area (1) (2)

* Snakeden Hollow State Fish and Wildlife Area (closed during goose season; tree stands must be removed no later than the last day of archery hunting on the site) (1) (6)

Sparks Pond State Natural Area (6)

Spoon River State Forest (1) (6)

* Spring Lake State Fish and Wildlife Area (1) (6)

* Starved Rock State Park/Matthiessen State Park/Margery C. Carlson Nature Preserve (antlerless deer only in October; either-sex deer from November 1 until the end of the statewide season; deer bowhunters must wear a cap and upper outer garment with at least 400 square inches of solid blaze orange/pink during the statewide firearm deer seasons; open to archery deer hunting during the statewide firearm deer season only in Zone A) (2)

* Stephen A. Forbes State Recreation Area (6)

Tapley Woods State Natural Area (6)

Ten Mile Creek State Fish and Wildlife Area (areas designated as refuge are closed to all access during Canada goose season only) (1) (6)

Trail of Tears State Forest (1) (2)

Turkey Bluffs State Fish and Wildlife Area (1) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Union County State Fish and Wildlife Area (Firing Line Unit open throughout statewide season; Controlled Public Hunting Area open October 1 through October 31) (1) (2)

Vesely Land and Water Reserve/Wilmington Shrub Prairie Nature Preserve (6)

Walnut Point State Park (1) (6)

Wards Grove State Nature Preserve (closed during firearm deer hunting; antlerless deer only) (6)

* Washington County State Conservation Area (1) (2)

Weinberg-King State Park (6)

Weinberg-King State Park – Cecil White Unit (6)

Weinberg-King State Park – Scripps Unit (resident hunters only) (6)

Weinberg-King State Park – Spunky Bottoms Unit (resident hunters only) (6)

Weldon Springs State Park – Piatt County Unit (6)

Whitefield Pheasant Habitat Area (hunting allowed during October only) (6)

* White Pines Forest State Park (hunting allowed on Mondays, Tuesdays, Wednesdays and Thursdays only – excluding official State holidays in October. Beginning November 1, archery hunting is allowed 7 days a week, excluding the site's special firearm deer season) (6)

Wildcat Hollow State Forest (1) (6)

Willow Creek State Habitat Area (hunting permitted October 1-31) (1) (6)

Winston Tunnel State Natural Area (6)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Wise Ridge State Natural Area (1)

Witkowski State Wildlife Area (opens October 15) (6)

Wolf Creek State Park (for Corps of Engineers managed lands not managed by DNR, contact Corps of Engineers, Lake Shelbyville office, for specific deer hunting policy) (6)

Woodford State Fish and Wildlife Area (opens at the close of duck season) (6)

- i) Statewide regulations shall apply at the following sites except that hunter quotas shall be filled by ~~lottery~~~~mail-in~~ drawing, using either mail-in paper applications or online (electronic) applications:

Beaver Dam State Park (an antlerless deer must be taken on the site before an antlered deer is harvested; harvest reports are due to the site by December 31; failure to submit report shall result in the loss of hunting privileges at the site for the following year) (1)

Bohm Woods State Nature Preserve (an antlerless deer must be taken on the site before an antlered deer is harvested; harvest reports are due to the site by January 31; failure to submit report shall result in the loss of hunting privileges at the site for the following year) (1)

- * Frank Holten State Park (opens November 1; crossing of Harding Ditch within confines of site allowed; no hunting from Harding Ditch right-of-way; drawing for weekly hunter quotas will be held prior to the season; display windshield card while hunting; harvest report due to site by January 31, failure shall result in ineligibility to hunt at the site the following year) (1, starting October 15) (6)

Goode's Woods State Nature Preserve (an antlerless deer must be taken on the site before an antlered deer is harvested; harvest reports are due to the site by January 31; failure to submit report shall result in the loss of hunting privileges at the site for the following year) (1)

- * Horseshoe Lake State Park (Madison County) (hunting in designated areas only; an antlerless deer must be taken on the site before an antlered deer is

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

harvested; harvest reports are due to the site by January 31; failure to submit report shall result in the loss of hunting privileges at the site for the following year) (1)

Pere Marquette State Park (hunting allowed in group camping areas only; season begins the first weekday after camps close)

* Zoeller State Natural Area (1) (6)

- j) State regulations shall apply except that hunters must obtain a free permit from the site office. This permit must be in possession while hunting and must be returned, and harvest reported, to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.

* Horseshoe Lake State Park (Madison County – Gaberet, Mosenthein and Chouteau Island Units)

- k) Statewide regulations shall apply except that no hunting is permitted on days that the site is open to permit pheasant season.

Chain O'Lakes State Park (season opens Monday prior to opening of permit pheasant hunting season and closes before the controlled pheasant clean up hunt; season reopens on December 26 through close of regular season) (3) (6)

Iroquois County State Conservation Area (permit pheasant hunting units are closed to archery hunting on days the site is open to permit pheasant hunting; archery hunting is open under statewide regulations in non-permit pheasant hunting units) (6)

Wayne Fitzgerald State Recreation Area (no bowhunting during controlled hunts as posted at the site) (2)

- l) Statewide regulations shall apply at the following sites except that nonresident hunter quotas shall be filled by ~~lottery~~[mail-in](#) drawing, [using either mail-in paper applications or online \(electronic\) applications](#). Information about specific drawing dates and application procedures will be publicly announced. Successful applicants will be issued a free permit from the site office. This permit must be in

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

possession while hunting and must be returned and harvest reported to the address indicated on the card before February 15. Failure to return the permit shall result in loss of hunting privileges at that site for the following year.

Jim Edgar Panther Creek State Fish and Wildlife Area (Open Unit and West Open Unit closed to archery hunting during the Youth Deer Season)
(1) (4) (6)

* Sangchris Lake State Park (site will be closed to archery deer hunting during the second firearm deer season) (1) (4) (6)

- m) Statewide regulations shall apply at this site except that hunter quotas for specific periods shall be filled by ~~lottery~~~~mail-in~~ drawing, using either mail-in paper applications or online (electronic) applications. Only Illinois residents are eligible to apply. Information about drawing dates and application procedures will be publicly announced.

Hennepin Canal State Trail (hunters must stay in their designated zone; an antlerless deer must be taken on the site before an antlered deer may be taken) (1) (6)

Illinois Beach State Park, North Dunes Nature Preserve and Illinois Beach Nature Preserve (hunting assigned for one week periods; site-issued windshield card must be displayed while hunting; harvest report due to site by February 1, failure to report shall result in ineligibility to hunt at the site the following year)

James Pate Philip State Park and Heron Woods State Habitat Area

Kickapoo State Recreation Area – Mentored Hunt (limited to designated portions of the recreation area otherwise closed to archery deer hunting; beginning the Monday following muzzleloader season; only applicants with less than 3 years of deer hunting experience may apply; hunter quotas will be filled equally with adult and youth hunters; participating hunters must be accompanied by a non-hunting, validly licensed (Illinois hunting license) adult who is 21 years of age or older; hunting assigned for one-week periods; site-issued windshield card must be displayed while hunting) (6)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

Moraine Hills State Park

Volo Bog State Natural Area

n) Violations of site specific regulations are petty offenses (see 520 ILCS 5/2.20).

(Source: Amended at 44 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Special White-Tailed Deer Season for Disease Control
- 2) Code Citation: 17 Ill. Adm. Code 675
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
675.20	Amendment
675.30	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.20, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.20, 2.24, 2.25, 2.26 and 3.36].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to make Statewide program changes.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place, and Manner in which interested persons may comment on this rulemaking:

John Heidinger, Legal Counsel
Department of Natural Resources
One Natural Resources
Springfield IL 62702

217/557-6379
- 13) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2020

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER b: FISH AND WILDLIFE

PART 675

SPECIAL WHITE-TAILED DEER SEASON FOR DISEASE CONTROL

Section

675.10	Chronic Wasting Disease (CWD) Season
675.20	CWD Deer Permit Requirements
675.30	Weapon Requirements for CWD Deer Hunting Season
675.40	CWD Deer Hunting Rules
675.50	Reporting Harvest
675.60	Rejection of Application/Revocation of Permits
675.70	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.20, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5].

SOURCE: Adopted at 29 Ill. Reg. 20454, effective December 2, 2005; amended at 31 Ill. Reg. 1874, effective January 5, 2007; amended at 31 Ill. Reg. 14822, effective October 18, 2007; amended at 32 Ill. Reg. 19731, effective December 4, 2008; amended at 33 Ill. Reg. 11593, effective July 27, 2009; amended at 35 Ill. Reg. 20583, effective December 9, 2011; amended at 37 Ill. Reg. 14960, effective August 30, 2013; amended at 39 Ill. Reg. 10928, effective July 27, 2015; amended at 40 Ill. Reg. 10603, effective July 20, 2016; amended at 42 Ill. Reg. 13140, effective June 22, 2018; amended at 44 Ill. Reg. _____, effective _____.

Section 675.20 CWD Deer Permit Requirements

- a) Hunters must have an unfilled deer permit valid for the previous firearm, muzzleloader or youth deer season and valid for one of the open counties (see Section 675.10(b)) or a valid CWD Season Deer Permit. A CWD Season Deer Permit is issued for one county or special hunt area and is valid only in the county or special hunt area stated on the permit. Unfilled firearm, muzzleloader or [Youth Deer Hunt Permits](#) ~~youth deer permits~~ are valid only for the county for which they were originally issued, except that [Youth Deer Hunt Permits issued as part of the statewide youth-only deer hunting season Pilot Program, as described in 17 Ill. Adm. Code 685.20](#), are valid for all of the open counties and unfilled landowner property-only hunting firearm deer permits are valid only for the farmlands the

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

person to whom it was issued owns, leases, or rents within the open counties/portions of counties.

- 1) Unfilled firearm, muzzleloader or [Youth Deer Hunt Permits](#)~~youth deer permits~~ that were originally issued for special hunt areas are not valid during the CWD Season unless:
 - A) the hunter's name is redrawn at the daily site lottery to hunt at the same special hunt area during the CWD Season; or
 - B) the special hunt area is open to persons with a county permit and the special hunt area does not conduct a daily site lottery.
 - 2) Sites conducting a daily site lottery will be announced publicly.
- b) CWD Season Deer Permits are available over-the-counter (OTC) from participating license vendors for a fee of \$5. These permits shall be antlerless-only.
 - c) For a Special Hunt Area CWD Season Deer Permit, resident hunters may apply online at www.dnr.illinois.gov for a site-specific permit valid for one of the Department's Special Hunt Areas. The application period begins the last Tuesday in October and ends the fourth Monday in November. Permits will be allocated via a lottery drawing. The fee for this permit is \$17.50. These permits shall be antlerless-only.
 - d) Hunters purchasing CWD Season Deer Permits must supply all necessary applicant information to the license vendor in order to properly complete the permit.
 - e) Permits are not transferable. Refunds will not be granted unless the Department has erroneously issued the permit.
 - f) A \$3 service fee will be charged for replacement permits. Monies derived from this source shall be deposited in the Wildlife and Fish Fund.
 - g) Recipients of the CWD Season Deer Hunting Permit shall record their signature on the permit and must carry it on their person while hunting.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- h) Hunting without a valid permit is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 675.30 Weapon Requirements for CWD Deer Hunting Season

- a) The only legal weapons to take, or attempt to take, deer are shotguns, muzzleloading rifles, and handguns and their respective ammunitions as prescribed by 17 Ill. Adm. Code 650.30.
- b) Hunters with valid, unused permits from the previous firearm, muzzleloader or youth seasons may use only the [legal firearms, as described in subsection \(a\), weapons](#) allowed by that permit in those respective seasons. Hunters with a valid CWD Season Deer Permit may use any of the weapons described in subsection (a).
- c) It shall be unlawful to use or possess any firearm or ammunition other than allowed by subsection (a) in the field while hunting white-tailed deer during the CWD Deer Hunting Season. However, the lawful possession of firearms to take furbearing mammals and game mammals other than deer by persons other than deer hunters shall not be prohibited during the CWD Deer Hunting Season as set in Section 675.10. Violation is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 44 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Late-Winter Deer Hunting Season
- 2) Code Citation: 17 Ill. Adm. Code 680
- 3) Section Number: 680.20 Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.20, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5/1.3, 1.4, 1.13, 2.20, 2.24, 2.25, 2.26 and 3.36].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to add language regarding unfilled Youth Deer Hunt Permits; allows their use in any of the open counties.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place, and Manner in which interested persons may comment on this rulemaking:

John Heidinger, Legal Counsel
Department of Natural Resources
One Natural Resources
Springfield IL 62702

217/557-6379

- 13) Initial Regulatory Flexibility Analysis:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2020

The full text of the Proposed Amendment begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

TITLE 17: CONSERVATION
CHAPTER I: DEPARTMENT OF NATURAL RESOURCES
SUBCHAPTER b: FISH AND WILDLIFEPART 680
LATE-WINTER DEER HUNTING SEASON

Section

680.10	Statewide Season
680.20	Statewide Deer Permit Requirements
680.25	Deer Permit Requirements – Free Landowner/Tenant Permits (Repealed)
680.30	Deer Permit Requirements – Group Hunt (Repealed)
680.40	Statewide Firearm Requirements for Late-Winter Deer Hunting
680.50	Statewide Deer Hunting Rules
680.60	Reporting Harvest
680.70	Rejection of Application/Revocation of Permits
680.80	Regulations at Various Department-Owned or -Managed Sites

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.13, 2.20, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5].

SOURCE: Adopted at 15 Ill. Reg. 13353, effective September 3, 1991; amended at 16 Ill. Reg. 15446, effective September 28, 1992; amended at 17 Ill. Reg. 18810, effective October 19, 1993; amended at 18 Ill. Reg. 15739, effective October 18, 1994; amended at 19 Ill. Reg. 15422, effective October 26, 1995; amended at 20 Ill. Reg. 10906, effective August 5, 1996; amended at 21 Ill. Reg. 9128, effective June 26, 1997; amended at 22 Ill. Reg. 14875, effective August 3, 1998; amended at 24 Ill. Reg. 8975, effective June 19, 2000; amended at 26 Ill. Reg. 13820, effective September 5, 2002; emergency amendment at 28 Ill. Reg. 1032, effective January 6, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 2197, effective January 26, 2004; amended at 28 Ill. Reg. 15503, effective November 19, 2004; amended at 29 Ill. Reg. 20462, effective December 2, 2005; amended at 30 Ill. Reg. 14508, effective August 24, 2006; amended at 31 Ill. Reg. 13180, effective August 30, 2007; amended at 32 Ill. Reg. 19736, effective December 3, 2008; amended at 33 Ill. Reg. 11601, effective July 27, 2009; amended at 34 Ill. Reg. 16518, effective October 8, 2010; amended at 35 Ill. Reg. 15242, effective September 2, 2011; amended at 37 Ill. Reg. 14967, effective August 30, 2013; amended at 40 Ill. Reg. 10607, effective July 20, 2016; amended at 42 Ill. Reg. 13144, effective June 22, 2018; amended at 44 Ill. Reg. _____, effective _____.

Section 680.20 Statewide Deer Permit Requirements

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

- a) Illinois resident hunters must have an unfilled deer permit valid for the previous firearm, muzzleloader or youth deer season and valid for one of the open counties or a valid Late-Winter Deer Season permit (\$17.50). Nonresident hunters must have an unfilled deer permit valid for the previous firearm, muzzleloader or youth deer season and valid for one of the open counties. A Late-Winter Deer Season Permit is issued for one county or special hunt area and is valid only in the county or special hunt area stated on the permit. Unfilled firearm, muzzleloader or [Youth Deer Hunt Permits](#)~~youth deer permits~~ are valid only for the county for which they were originally issued, except that [Youth Deer Hunt Permits issued as part of the statewide youth-only deer hunting season Pilot Program, as described in 17 Ill. Adm. Code 685.20, are valid for all of the open counties and](#) unfilled landowner property-only hunting firearm deer permits are valid only for the farmlands that the person to whom it was issued owns, leases, or rents within the open counties/portions of counties.
- 1) Unfilled firearm, muzzleloader or [Youth Deer Hunt Permits](#)~~youth deer permits~~ that were originally issued for special hunt areas are not valid during the Late-Winter Season unless:
- A) the hunter's name is redrawn at the daily site lottery to hunt at the same special hunt area during the Late-Winter Season; or
- B) the special hunt area is open to persons with a county permit and the special hunt area does not conduct a daily site lottery.
- 2) Sites conducting a daily site lottery will be announced publicly.
- b) Resident Late-Winter Deer Permits will be available for sale over-the-counter (OTC) from agents designated by the Department (pursuant to 17 Ill. Adm. Code 2520) beginning the second Tuesday in December through the last day of the Late-Winter Deer Season. There shall be no limitation on permit sales; resident hunters may purchase as many permits as they wish for any or all of the included counties.
- c) For a Special Hunt Area permit, resident hunters may apply online at www.dnr.illinois.gov for a site-specific permit valid for one of the Department's Special Hunt Areas. The application period begins the last Tuesday in October and ends the fourth Monday in November. Permits will be allocated via a lottery

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENT

drawing.

- d) For the applicant to be eligible to receive a Late-Winter Deer Permit (\$17.50), he/she must be an Illinois resident and not have had his/her deer hunting privileges suspended or revoked in this State pursuant to Section 3.36 of the Wildlife Code [520 ILCS 5/3.36]. Lifetime licenses issued after August 15, 2006 shall not qualify a non-resident of Illinois for a resident deer permit.
- e) Hunters purchasing Late-Winter Deer Permits must supply all necessary application information to the agents in order to properly complete the permit.
- f) Recipients of the Late-Winter Deer Hunting Permit shall record their signature on the permit and must carry it on their person while hunting.
- g) Permits are not transferable. Refunds shall not be granted unless the Department has erroneously issued the permit.
- h) A \$3 service fee shall be charged for replacement permits. Monies derived from this source shall be deposited in the Wildlife and Fish Fund.
- i) Hunting without a valid permit is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 44 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: Youth Hunting Seasons
- 2) Code Citation: 17 Ill. Adm. Code 685
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
685.10	Amendment
685.20	Amendment
685.70	Amendment
685.110	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to change the end date of the Statewide youth deer season and under a pilot program, to allow Youth Deer Hunt Permits to be used in any open county of the State where permission to hunt has been obtained. This pilot program will be evaluated after January 1, 2023.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place, and Manner in which interested persons may comment on this rulemaking:

John Heidinger, Legal Counsel
Department of Natural Resources
One Natural Resources
Springfield IL 62702

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

217/557-6379

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2020

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER b: FISH AND WILDLIFE

PART 685

YOUTH HUNTING SEASONS

Section

685.10	Statewide Season for White-Tailed Deer Hunting
685.20	Statewide Deer Permit Requirements
685.30	Statewide Firearm Requirements for Hunting the Youth Deer Season
685.40	Statewide Deer Hunting Rules
685.50	Reporting Harvest of Deer
685.60	Rejection of Application/Revocation of Deer Permits
685.70	Regulations at Various Department-Owned or -Managed Sites
685.80	Youth White-Tailed Deer Hunt (Repealed)
685.90	Heritage Youth Wild Turkey Hunt – Spring Season (Repealed)
685.100	Youth Pheasant Hunting (Repealed)
685.110	Youth Waterfowl Hunting
685.120	Youth Dove Hunting (Repealed)

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 2.24, 2.25, 2.26 and 3.36 of the Wildlife Code [520 ILCS 5].

SOURCE: Adopted at 20 Ill. Reg. 12452, effective August 30, 1996; amended at 21 Ill. Reg. 14548, effective October 24, 1997; amended at 25 Ill. Reg. 6904, effective May 21, 2001; amended at 26 Ill. Reg. 4418, effective March 11, 2002; amended at 26 Ill. Reg. 13828, effective September 5, 2002; amended at 27 Ill. Reg. 14332, effective August 25, 2003; amended at 29 Ill. Reg. 20469, effective December 2, 2005; amended at 30 Ill. Reg. 12222, effective June 28, 2006; emergency amendment at 31 Ill. Reg. 12096, effective August 1, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 14829, effective October 18, 2007; amended at 32 Ill. Reg. 10115, effective June 30, 2008; amended at 33 Ill. Reg. 11609, effective July 27, 2009; amended at 34 Ill. Reg. 4863, effective March 19, 2010; amended at 35 Ill. Reg. 13228, effective July 26, 2011; amended at 37 Ill. Reg. 19277, effective November 14, 2013; amended at 38 Ill. Reg. 22772, effective November 18, 2014; amended at 39 Ill. Reg. 10932, effective July 27, 2015; amended at 39 Ill. Reg. 14574, effective October 20, 2015; amended at 40 Ill. Reg. 10612, effective July 20, 2016; amended at 41 Ill. Reg. 8707, effective June 28, 2017; amended at 42 Ill. Reg. 13150, effective June 22, 2018; amended at 43 Ill. Reg. 9559, effective August 23, 2019; amended at 44 Ill. Reg. _____, effective _____.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Section 685.10 Statewide Season for White-Tailed Deer Hunting

- a) Season: One-half hour before sunrise on Saturday of the State designated Columbus Day Holiday weekend to ½ hour after sunset on the Monday immediately following Sunday of that weekend. Shooting hours are ½ hour before sunrise to ½ hour after sunset. A hunter with an unfilled, valid Youth Deer Permit may also hunt during the first firearm deer season (the 3-day weekend (Friday, Saturday and Sunday) immediately before Thanksgiving), subject to the following restrictions:
- 1) Unfilled Youth Deer Permits are not valid for hunting during the first firearm deer season on public land sites that limit the number of hunters during the firearm season via the use of a site permit quota (i.e., only public sites that allow unrestricted access may be hunted);
 - 2) the hunter must use only firearms allowed in Section 685.30; and
 - 3) hunters must abide by Section 650.60 when hunting on Department-owned or -managed sites.
- b) Open Counties: All counties except Cook, DuPage and Lake Counties, and that portion of Kane County east of State Route 47.
- c) Hunting outside the set season dates is a Class B misdemeanor (see 520 ILCS 5/2.24); and hunting prior to ½ hour before sunrise or after ½ hour after sunset is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine, in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 685.20 Statewide Deer Permit Requirements

- a) All eligible youth hunters must have a current, valid "Youth Deer Hunt Permit" (\$10). The Youth Deer Season is only open to hunters who have not reached their 18th birthday prior to the opening date of the season. Hunters must have an apprentice or youth hunting license, or they must have completed a State-approved Hunter Education course and have a hunting license, unless exempt. Pursuant to the statewide youth-only deer hunting season Pilot Program created in

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Section 2.26 of the Wildlife Code [520 ILCS 5], the following will apply to all Youth Deer Hunt Permits beginning with the 2020 Youth Deer Season: A permit is issued for one county or special hunt area and is valid only in the county or special hunt area stated on the permit.

- 1) Youth Deer Hunt Permits will authorize the holder to hunt in any of the open counties of the State, on property where permission to hunt has been obtained from the property owner.
 - 2) On or after January 1, 2023, the Department may analyze the effects of the Pilot Program on the Youth Deer Season, including its effects on hunter participation, hunter satisfaction, hunter distribution and deer harvest.
 - 3) If the Department finds, after thorough analysis, negative impacts to wildlife management associated with the Pilot Program, the Department may amend this Part to prohibit the statewide use of Youth Deer Hunt Permits and resume issuance of county-specific permits.
- b) Youth Deer Hunt Permits will be available for sale over-the counter (OTC) from agents beginning the first Tuesday in August through the last day of the Youth Deer Season. Hunters may purchase only a single permit (either-sex) ~~for one of the included counties.~~
- c) For the applicant to be eligible to receive a Youth Deer Season Permit (\$10), applicant must not have had his or her deer hunting privileges suspended or revoked in this State pursuant to Section 3.36 of the Wildlife Code [520 ILCS 5/3.36].
- d) Recipients of the Youth Deer Season Hunt Permit shall record their signature on the permit and must carry it on their person while hunting.
- e) Permits are not transferable. Refunds shall not be granted unless the Department has erroneously issued the permit.
- f) A \$3 service fee shall be charged for replacement permits issued by the Department, except when permits are lost in the mail there will be no charge. Monies derived from this source will be deposited in the Wildlife and Fish Fund.
- g) Permits issued for the Youth Deer Hunt season will not be counted in the number

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

of gun permits a person can receive for the Firearm and Muzzleloader-Only Deer Season.

- h) Hunting without a valid permit is a Class B misdemeanor (see 520 ILCS 5/2.24).

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 685.70 Regulations at Various Department-Owned or -Managed Sites

- a) All the regulations in 17 Ill. Adm. Code 510 apply in this Section, unless this Section is more restrictive.
- b) Check-in, check-out, and reporting of harvest is required at those sites listed in this Section that are followed by a (1). Sites that require use of windshield cards by hunters, as specified in 17 Ill. Adm. Code 510.10, are followed by a (2).

- c) Statewide regulations shall apply at the following sites:

Apple River Canyon State Park (Salem/Thompson Units only) (2)

Big River State Forest (2)

Burning Star State Fish and Wildlife Area (2)

Cache River State Natural Area (1)

Campbell Pond State Habitat Area (2)

Cape Bend State Fish and Wildlife Area (1)

Carlyle Lake State Fish and Wildlife Area (2)

Cedar Glen State Natural Area (2)

Chauncey Marsh State Natural Area (2)

Copperhead Hollow State Fish and Wildlife Area (2)

Crawford County State Fish and Wildlife Area (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Cypress Pond State Natural Area (1)

Deer Pond State Natural Area (1)

Devil's Island State Wildlife Management Area

Dixon Springs State Park (2)

Dog Island State Wildlife Management Area (2)

Eldon Hazlet State Park (North Allen Branch Unit only) (2)

Eagles Landing (operated as part of the hunt at the Upper Mississippi River National Wildlife Refuge – Lost Mound Unit; a special permit from USFWS is required; contact the refuge for specific hunt details)

Ferne Clyffe State Park (Cedar/Draper Units only) (1)

Fort Massac State Park (2)

[Fox Ridge State Park \(2\)](#)

Giant City State Park (1)

Glass Hill State Natural Area (1)

Green River State Wildlife Area (2)

Hanover Bluff State Natural Area (2)

Hidden Springs State Forest (2)

Horseshoe Lake State Fish and Wildlife Area – Alexander County (1)

Kaskaskia River State Fish and Wildlife Area (1 – except south of Highway 154 and north of Highway 13)

Kinkaid Lake State Fish and Wildlife Area (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Mackinaw State Fish and Wildlife Area (2)

Marshall State Fish and Wildlife Area (2)

Meeker State Habitat Area (2)

Mermet Lake State Fish and Wildlife Area (2)

Mississippi River Pools 17, 18

Mississippi River Pools 21, 22, 24

Mississippi River State Fish and Wildlife Area

Newton Lake State Fish and Wildlife Area (2)

Oakford Conservation Area

Pere Marquette State Park (2)

Pyramid State Recreation Area (East Conant, Galum, and Old Park Units only)
(2)

Rall Woods State Natural Area (2)

Ray Norbut State Fish and Wildlife Area – Dutch Creek Unit (2)

Ray Norbut State Fish and Wildlife Area (2)

Rend Lake State Fish and Wildlife Area

Saline County State Fish and Wildlife Area (2)

Sand Ridge State Forest (2)

Seilbeck Forest State Natural Area (2)

Shelbyville State Fish and Wildlife Area (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Siloam Springs State Park (2)

Skinner Farm State Habitat Area (1)

Spoon River State Forest (2)

Stewardship Park (operated as part of the hunt at the Upper Mississippi River National Wildlife Refuge – Lost Mound Unit; a special permit from USFWS is required; contact the refuge for specific hunt details)

Tapley Woods State Natural Area (2)

Ten Mile Creek State Fish and Wildlife Area (2)

Trail of Tears State Forest (1)

Turkey Bluffs State Fish and Wildlife Area (1)

Union County State Fish and Wildlife Area (1)

Wards Grove State Nature Preserve (2)

Weinberg-King State Fish and Wildlife Area, including Scripps and Spunky Bottoms Units (2)

Wildcat Hollow State Habitat Area (2)

Winston Tunnel State Natural Area (2)

Wise Ridge State Natural Area

- d) Statewide regulations shall apply at the following sites, except that hunter quotas shall be filled by mail-in drawing. Information about drawing dates and application procedures will be publicly announced.

Coffeen Lake State Fish and Wildlife Area (Upland Management Area only) (2)

Iroquois County State Wildlife Area (1)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Jim Edgar Panther Creek State Fish and Wildlife Area (2)

Kankakee River State Park (2)

Sangamon County Conservation Area

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 685.110 Youth Waterfowl Hunting

a) Permit Requirements

- 1) Permit reservations shall be accepted starting in September. Initial acceptance dates shall be publicly announced. Applicants must be between the ages of 10-17 inclusive on the date of the hunt.
- 2) Only one permit per person shall be issued for the hunt on December 28 at Horseshoe Lake State Fish and Wildlife Area (Alexander County) and Union County State Fish and Wildlife Area and on the second Sunday in November of the Illinois Central Zone Waterfowl season at Spring Lake State Fish and Wildlife Area – Spring Lake Bottoms Unit.
- 3) The permit shall be for the use of the entire blind and it shall be the responsibility of the permit holder to bring one supervising adult who may also hunt. The supervising adult shall be criminally liable for the actions of the youth in the hunting party, and be subject to the criminal penalties provided by law. Each youth and supervising adult may be accompanied by a non-hunting guide. The maximum number of people in a blind is 2 hunting youth, 2 hunting adults and a non-hunting guide.
- 4) Permit Reservations and Transferability
 - A) All duplicate permit reservations shall be rejected and the hunter shall forfeit his or her rights to a permit. Permits are not transferable. Previous participants are ineligible to apply for a permit.
 - B) For other information write to:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Illinois Department of Natural Resources
Youth Waterfowl Hunt
One Natural Resources Way
P.O. Box 19457
Springfield IL 62794-9457

- 5) Permits for the Illinois Youth Waterfowl Hunt will be issued from the Springfield Permit Office.
- b) General Waterfowl Hunting Regulations at the Youth Waterfowl Hunting Areas
 - 1) Hours, Permits and Stamp Charges
 - A) Hunting hours at Horseshoe Lake State Conservation Area (Alexander County) and Union County are from legal opening until 12:00 Noon on the day of the Youth Waterfowl Hunt. Hunting hours at Banner Marsh State Fish and Wildlife Area, Clinton Lake State Recreation Area, Donnelley State Fish and Wildlife Area, Larry D. Closson State Habitat Area, Marshall State Fish and Wildlife Area – Duck Ranch Unit and Spring Lake State Fish and Wildlife Area – Spring Lake Bottoms Unit are from statewide opening to 1:00 p.m. on the days of the youth waterfowl hunts.
 - B) At Banner Marsh State Fish and Wildlife Area, Union County State Fish and Wildlife Area and Horseshoe Lake State Fish and Wildlife Area (Alexander County), hunters with Illinois Youth Waterfowl Hunt Permit reservations are required to check in at the check station between 4:30 a.m. and 5:00 a.m. Permits are void after 5:00 a.m. A drawing shall be held on the morning of the hunt to allocate blind sites.
 - C) At Donnelley State Fish and Wildlife Area, the first weekend (Saturday and Sunday) and the third weekend (Saturday and Sunday) of the duck season for the zone the site is located in shall be designated as Youth Hunt days open to hunters 10-17 years old. Youth hunters must be accompanied by an adult. Blinds not allocated to youth hunters shall be available for adults, except for

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

the third Sunday, when only permitted hunters are allowed. The blinds will be allocated by drawing the day of the hunt. Preference will be given to youth hunters who have not been drawn for a previous hunt at the site during the current season.

- D) At Spring Lake State Fish and Wildlife Area – Spring Lake Bottoms Unit, hunters with Illinois Youth Waterfowl Permit reservations are required to check-in at the check station no later than one hour before legal shooting time, after which time permits are void. A drawing shall be held on the morning of the hunt to allocate blind sites.
- E) Larry D. Closson State Habitat Area will be open during the Central Zone Youth Waterfowl Hunting days. Only one party per day will be assigned to this site, consisting of the Youth Waterfowl Hunting Permit holder, up to 3 additional youth hunters, and up to 2 non-hunting adult chaperones. This site does not have any permanent blind structures. Hunters may construct temporary blinds that must be removed at the end of each day's hunt.
- F) At Marshall State Fish and Wildlife Area – Duck Ranch Unit, hunters with Illinois Youth Waterfowl Permit reservations are required to check in at the check station no later than one hour before legal shooting time, after which time permits are void. A drawing shall be held on the morning of the hunt to allocate blind sites. A standby drawing will be held immediately after the permit drawing for any unclaimed blinds by permit holders.
- G) Black Crown Marsh State Natural Area will be open during the Northern Zone Youth Waterfowl Hunting season. Walk-in hunting only. A hunting party will consist of the Youth Waterfowl Hunting Permit holder, up to 3 additional youth hunters, and up to 2 non-hunting adult chaperones. This site does not have any permanent blind structures. Hunters may construct temporary blinds that must be removed at the end of each day's hunt. Hunting hours are from legal opening until 1:00 p.m. Hunters must be off the site by 2:00 p.m. Sign-in/sign-out and report harvest at parking area kiosk.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- H) There is no fee for the Illinois Youth Waterfowl Hunting Permit.
- 2) Hunting must be done from assigned blinds only and hunters, unless authorized, shall not move from blind to blind or leave the blind and return.
- 3) Shotguns must be unloaded and encased at all times when not hunting.
- 4) At Union County State Fish and Wildlife Area and Horseshoe Lake State Fish and Wildlife Area (Alexander County), each youth shall not possess more than 25 shells. Each adult shall not possess more than 5 shells for each Canada goose allowed in the daily bag. Hunters without their guns may leave the blind to retrieve crippled waterfowl.
- 5) At Rend Lake State Fish and Wildlife Area, hunters participating in the youth hunt must sign in and out, no entry into subimpoundments before 4:30 a.m. and must be out of subimpoundments by 2:00 p.m. A drawing will be held at 4:00 a.m. each day of the youth hunt for hunters wanting to hunt the Casey Fork impoundment. Drawing will be held at the Cottonwood Access Area. Airboats are not allowed in Casey Fork subimpoundment, Big Muddy subimpoundment, and the impoundments on Corps of Engineers managed areas during youth waterfowl season.
- c) **Special Hunts**
If, by regulation published in the Federal Register, the U.S. Fish and Wildlife Service sets any special dates for youth-only waterfowl hunting, the Department shall, by public announcement, open those Department sites that, under the circumstances prevailing at the time, the Department believes may be opened without unduly disturbing other Department programs. Open sites that require the use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 will be noted in the public announcement.
- d) Violations of this Section are Class B misdemeanors (see 520 ILCS 5/2.18), except that hunting prior to ½ hour before sunrise is a Class A misdemeanor with a minimum \$500 fine and a maximum \$5,000 fine in addition to other statutory penalties (see 520 ILCS 5/2.33(y)).

(Source: Amended at 44 Ill. Reg. _____, effective _____)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) Heading of the Part: The Taking of Wild Turkeys – Spring Season
- 2) Code Citation: 17 Ill. Adm. Code 710
- 3)

<u>Section Numbers:</u>	<u>Proposed Actions:</u>
710.10	Amendment
710.20	Amendment
710.50	Amendment
710.70	Amendment
- 4) Statutory Authority: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10, 2.11 and 2.20 of the Wildlife Code [520 ILCS 5].
- 5) A Complete Description of the Subjects and Issues Involved: This Part is being amended to make Statewide program changes, open and close State-owned or -managed sites, and amend procedures at State sites.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? No
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not affect units of local government.
- 12) Time, Place, and Manner in which interested persons may comment on this rulemaking:

John Heidinger, Legal Counsel
Department of Natural Resources
One Natural Resources
Springfield IL 62702

217/557-6379

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: None
- 15) Regulatory Agenda on which this rulemaking was summarized: January 2020

The full text of the Proposed Amendments begins on the next page:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

TITLE 17: CONSERVATION

CHAPTER I: DEPARTMENT OF NATURAL RESOURCES

SUBCHAPTER b: FISH AND WILDLIFE

PART 710

THE TAKING OF WILD TURKEYS – SPRING SEASON

Section

710.5	Hunting Zones
710.10	Hunting Seasons
710.20	Statewide Turkey Permit Requirements
710.21	Turkey Permit Requirements – Special Hunts (Renumbered)
710.22	Turkey Permit Requirements – Landowner/Tenant Permits
710.25	Turkey Permit Requirements – Special Hunts
710.28	Turkey Permit Requirements – Heritage Youth Turkey Hunt (Repealed)
710.30	Turkey Hunting Regulations
710.40	Other Regulations (Repealed)
710.50	Regulations at Various Department-Owned or -Managed Sites
710.55	Special Hunts for Disabled Hunters
710.60	Releasing or Stocking of Turkeys
710.70	Spring Youth Turkey Hunt

AUTHORITY: Implementing and authorized by Sections 1.3, 1.4, 1.20, 2.9, 2.10, 2.11 and 2.20 of the Wildlife Code [520 ILCS 5].

SOURCE: Adopted at 4 Ill. Reg. 15, p. 153, effective April 1, 1980; codified at 5 Ill. Reg. 10643; amended at 6 Ill. Reg. 3852, effective March 31, 1982; amended at 7 Ill. Reg. 4208, effective March 25, 1983; amended at 8 Ill. Reg. 5663, effective April 16, 1984; amended at 9 Ill. Reg. 6200, effective April 24, 1985; amended at 10 Ill. Reg. 6848, effective April 4, 1986; amended at 11 Ill. Reg. 2267, effective January 20, 1987; amended at 12 Ill. Reg. 5342, effective March 8, 1988; amended at 13 Ill. Reg. 5090, effective April 4, 1989; amended at 14 Ill. Reg. 663, effective January 2, 1990; amended at 15 Ill. Reg. 4161, effective March 4, 1991; amended at 16 Ill. Reg. 1843, effective January 17, 1992; amended at 17 Ill. Reg. 3184, effective March 2, 1993; amended at 18 Ill. Reg. 1156, effective January 18, 1994; emergency amendment at 18 Ill. Reg. 3751, effective March 1, 1994, for a maximum of 150 days; emergency expired July 29, 1994; amended at 19 Ill. Reg. 2450, effective February 17, 1995; emergency amendment at 19 Ill. Reg. 5312, effective April 1, 1995, for a maximum of 150 days; emergency expired August 29, 1995; amended at 20 Ill. Reg. 777, effective December 29, 1995; recodified by changing the agency name from Department of Conservation to Department of Natural Resources at 20 Ill.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Reg. 9389; amended at 21 Ill. Reg. 3125, effective March 3, 1997; amended at 22 Ill. Reg. 2192, effective January 2, 1998; amended at 22 Ill. Reg. 19568, effective October 23, 1998; amended at 23 Ill. Reg. 11956, effective September 21, 1999; amended at 24 Ill. Reg. 7984, effective May 24, 2000; amended at 24 Ill. Reg. 17778, effective November 27, 2000; amended at 25 Ill. Reg. 14176, effective October 22, 2001; amended at 26 Ill. Reg. 18028, effective December 6, 2002; amended at 27 Ill. Reg. 17075, effective October 22, 2003; amended at 29 Ill. Reg. 3935, effective February 24, 2005; amended at 29 Ill. Reg. 20484, effective December 2, 2005; amended at 31 Ill. Reg. 1958, effective January 16, 2007; amended at 31 Ill. Reg. 16476, effective November 28, 2007; amended at 32 Ill. Reg. 19742, effective December 3, 2008; amended at 34 Ill. Reg. 4868, effective March 19, 2010; amended at 35 Ill. Reg. 3705, effective February 16, 2011; amended at 35 Ill. Reg. 20588, effective December 9, 2011; amended at 37 Ill. Reg. 1898, effective February 4, 2013; amended at 37 Ill. Reg. 20688, effective December 12, 2013; amended at 38 Ill. Reg. 22780, effective November 18, 2014; amended at 39 Ill. Reg. 10951, effective July 27, 2015; amended at 40 Ill. Reg. 10630, effective July 20, 2016; amended at 41 Ill. Reg. 85, effective December 22, 2016; amended at 41 Ill. Reg. 8727, effective June 28, 2017; amended at 41 Ill. Reg. 12599, effective September 20, 2017; amended at 42 Ill. Reg. 13174, effective June 22, 2018; amended at 43 Ill. Reg. 9581, effective August 23, 2019; amended at 44 Ill. Reg. _____, effective _____.

Section 710.10 Hunting Seasons

a) Northern Zone Season Dates:

- 1st Season: Monday, April ~~1243~~-Friday, April ~~1647~~, ~~20212020~~
- 2nd Season: Saturday, April ~~1748~~-Thursday, April ~~2223~~, ~~20212020~~
- 3rd Season: Friday, April ~~2324~~-Wednesday, April ~~2829~~, ~~20212020~~
- 4th Season: Thursday, April ~~2930~~-Wednesday, May ~~56~~, ~~20212020~~
- 5th Season: Thursday, May ~~67~~-Thursday, May ~~1344~~, ~~20212020~~

b) Southern Zone Season Dates:

- 1st Season: Monday, April ~~56~~-Friday, April ~~940~~, ~~20212020~~
- 2nd Season: Saturday, April ~~1044~~-Thursday, April ~~1546~~, ~~20212020~~

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 3rd Season: Friday, April ~~16~~¹⁷-Wednesday, April ~~21~~²², ~~2021~~²⁰²⁰
- 4th Season: Thursday, April ~~22~~²³-Wednesday, April ~~28~~²⁹, ~~2021~~²⁰²⁰
- 5th Season: Thursday, April ~~29~~³⁰-Thursday, May ~~6~~⁷, ~~2021~~²⁰²⁰

c) Open Counties:

NORTHERN ZONE

Adams
Boone
Brown
Bureau
Calhoun
Carroll
Cass
Champaign
Christian
Clark
Coles
Cumberland
DeKalb
DeWitt
Douglas
Edgar
Ford
Fulton
Greene
Grundy
Hancock
Henderson
Henry
Iroquois
Jersey
Jo Daviess
Kane
Kankakee
Kendall
Knox

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Lake
La Salle
Lee
Livingston
Logan
Macon
Macoupin
Marshall-Putnam
Mason
McDonough
McHenry
McLean
Menard
Mercer
Montgomery
Morgan
Moultrie
Ogle
Peoria
Piatt
Pike
Rock Island
Sangamon
Schuyler
Scott
Shelby
Stark
Stephenson
Tazewell
Vermilion
Warren
Whiteside
Will
Winnebago
Woodford

SOUTHERN ZONE

Alexander
Bond

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Clay
Clinton
Crawford
Edwards
Effingham
Fayette
Franklin
Hamilton
Gallatin-Hardin
Jackson
Jasper
Jefferson
Johnson
Lawrence
Madison
Marion
Massac
Monroe
Perry
Pope
Pulaski
Randolph
Richland
Saline
St. Clair
Union
Wabash
Washington
Wayne
White
Williamson

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 710.20 Statewide Turkey Permit Requirements

- a) All turkey hunters must have a current, valid Spring Wild Turkey Hunting Permit. Lifetime licenses issued after August 15, 2006 shall not qualify a non-resident of Illinois for a resident turkey permit. All hunters, except those exempted by

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Section 3.1 of the Wildlife Code [520 ILCS 5/3.1] are also required to obtain a hunting license before hunting wild turkey. Fees for spring turkey permits are as follows:

- 1) Permits issued via lottery by Permit Office:
Illinois Resident lottery permit – \$15
Nonresident lottery permit – \$125
 - 2) Over-the-Counter (OTC) Permits sold by license vendors pursuant to subsection (g); all prices include vendor's issuing fee:
Illinois Resident OTC Permit – \$15.50
Nonresident OTC Permit – \$125.50
- b) Permits are issued for a specific county or area and are valid only in the county or area designated on the permit. Applications for wild turkey permits shall be completed and submitted by visiting one of the Illinois Department of Natural Resources' DNR license vendors, by applying on-line at www.dnr.illinois.gov or by writing to:
- Department of Natural Resources – Spring Turkey
One Natural Resources Way
P.O. Box 19446
Springfield, Illinois 62794-9446
- c) Applicants must supply all information necessary to complete the application. Incomplete applications will be rejected and fees returned. Each applicant must submit payment for his/her individual application at the time of application. Group applications cannot contain~~Not~~ more than 6 applicants. Permits are allocated via computerized lottery drawings held in Springfield. Permits are not transferable~~applications may be submitted for group hunters.~~
- d) Applications from Illinois residents who have not applied for, or are not already in possession of, a landowner permit for the Spring Season will be accepted through December 1 for the First Lottery Drawing. Applications received in the permit office after December 1 will be included in the next ~~computerized~~ drawing. Group applications will be accepted in this drawing; however, only one application per hunter will be accepted.~~Permits are not transferable and refunds will not be granted. Permits will be allocated in a computerized drawing to be held in Springfield.~~ Applicants rejected in this drawing will receive preference in

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

the next year's drawing for spring season permits subject to guidelines outlined in subsection (h).

- e) Permits not issued during the first ~~computerized~~ drawing will be available in a Second Lottery Drawing. Applications for this drawing will be accepted through the first working day after January 10. Applications received after this date will be included in the next drawing. All hunters ~~not receiving a permit in the first computerized drawing and non-residents~~ are eligible to apply for permits remaining for this Second Lottery Drawing. but hunters who have not already been awarded a permit will receive preference. Group applications will be accepted in this lottery; however, only one application per hunter is allowed. ~~All resident permit applications will receive preference over non-resident applications.~~
- f) Permits not issued during the first two drawings will be available in a Third Lottery Drawing. ~~Any hunter who has not received a permit, and hunters that have received only one permit, may apply for a first or a second permit in a third computerized lottery drawing for the remaining permits. All resident permit applications will receive preference over non-resident applications.~~ Applications for this drawing ~~Third Lottery Drawing~~ will be accepted through the first working day after February 8. No group applications will be accepted in this drawing. Hunters may submit multiple applications for this drawing, but no hunter may submit more than three total applications amongst all three drawings. Applications received after this date will be rejected and fees refunded.
- g) Permits remaining after the Third Lottery Drawing will be available over-the-counter (OTC) from agents designated by the Department (pursuant to 17 Ill. Adm. Code 2520) beginning the second Tuesday in March on a first-come, first-served basis. Permits will be sold until quotas are exhausted, or until the close of the specific turkey season segment (i.e., 1-5) in the Zone (north vs. south) for which the permit is being requested. ~~Hunters~~ Persons may purchase one or more permits during this period, subject to availability, except that no one may exceed the limit of three permits in total for spring turkey hunting (lottery drawings, OTC, youth, and landowner permits combined), ~~including youth and landowner permits.~~
- h) The following criteria must be met to obtain preference in the first computerized drawing:

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 1) The applicant must apply using the official agency application.
 - 2) The applicant must be a resident of the State, be eligible to receive a spring turkey permit, and not had turkey hunting privileges revoked.
 - 3) The applicant must apply for the same county and season choices which he/she listed on the previous year's application. Preference will not be granted for special hunt areas as listed in Section 710.25 or for permit areas listed in Section 710.50(c).
- i) A \$3 service fee will be charged for replacement permits issued by the Department.
 - j) The periods for accepting applications for the lotteries may be extended if applications are not available to the public by November 1. A news release will announce the extension of the application periods.
 - k) It shall be unlawful to:
 - 1) Submit applications before the second computerized lottery drawing for more than one permit for the same person.
 - 2) Submit applications before the third computerized lottery drawing for more than two permits for the same person.
 - 3) Apply for or receive more than three permits for the spring turkey season. The three-permit total includes any landowner permit or youth turkey permit received.
 - 4) Provide false and/or deceptive information on a permit application form. In addition to criminal charges, individuals found guilty of violating this section shall have their application rejected, permit revoked, and fees forfeited.

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 710.50 Regulations at Various Department-Owned or -Managed Sites

- a) Hunters who intend to hunt Department sites and who have a physical disability

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

that requires special accommodations are encouraged to contact the site superintendent at least 10 days before the date they wish to hunt. The site superintendent will make reasonable accommodations necessary to allow the disabled person to participate in the hunting experience at the site. Disabled hunters who require an aide or assistant with them during the hunt are responsible for providing the aide or assistant and notifying the site superintendent that an assistant will be present, and whether the assistant will also be hunting.

- b) Hunters must sign in/sign out at all sites that are followed by a (1). Sites that require use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 are followed by a (2).
- c) Statewide regulations shall apply for the following sites:

Alvah Borah State Habitat Area (2)

Anderson Lake State Conservation Area (1)

Argyle Lake State Park (2)

Cache River State Natural Area (1)

Campbell Pond State Wildlife Management Area (2)

Cape Bend State Fish and Wildlife Area (1)

Carlyle Lake State Fish and Wildlife Area (2)

Copperhead Hollow State Wildlife Area (2)

Cretaceous Hills State Natural Area (2)

Cypress Pond State Natural Area (1)

Deer Pond State Natural Area (1)

Devil's Island State Fish and Wildlife Area

Dog Island State Wildlife Management Area (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Ferne Clyffe State Park – Cedar Draper Bluff Hunting Area (1)

Flag Pond State Natural Area

Fort de Chartres State Historic Site (muzzleloading shotgun or archery only; no in-line muzzleloading shotguns or muzzleloaders with scopes allowed) (1)

~~Fort Massac State Park (2)~~

Giant City State Park (1)

Horseshoe Lake State Conservation Area – Alexander County (controlled goose hunting area and public hunting area only) (1)

Horseshoe Lake State Park (Madison County) – Gabaret, Mosenthein, Chouteau Island Units (all hunters must obtain a free site permit)

Kaskaskia River State Fish and Wildlife Area (no hunting east of and within 50 yards of the defined Baldwin Lake Waterfowl Rest Area's main north-south road, within 100 yards of any house or building, or south of the Dry Lake access road; a hunter with a P-2 handicapped certification, accompanied by a non-hunting attendant, may hunt at the site's designated handicapped hunting spot within this closed area; the hunting spot will be allocated on a first come-first served basis or via a drawing, if needed, held at the site office) (1)

Kinkaid Lake State Fish and Wildlife Area (1)

Mark Twain National Wildlife Refuge, Gardner Division

Mississippi River State Fish and Wildlife Area (Pools 25 and 26)

Mississippi River Pools 16, 17, 18, 21, 22, and 24

Nauvoo State Park (Max Rowe Unit only) (2)

Oakford State Conservation Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Peabody River King State Fish and Wildlife Area (except South Subunit)
(1)

Pere Marquette State Park (designated area only) (2)

Ray Norbut State Fish and Wildlife Area (2)

Rend Lake Project Lands and Waters except Wayne Fitzgerald State Park

Saline County State Fish and Wildlife Area (2)

Sanganois State Conservation Area (2)

Sielbeck Forest State Natural Area (2)

Skinner Farm State Habitat Area (1)

Trail of Tears State Forest (1)

Turkey Bluffs State Fish and Wildlife Area (1)

Union County State Conservation Area – Firing Line Unit and Public
Hunting Area only (1)

Weinberg-King State Park (2)

Weinberg-King State Park (Cecil White Unit) (2)

Weinberg-King State Park (Spunky Bottoms Unit) (2)

Wildcat Hollow State Habitat Area (2)

Wise Ridge State Natural Area

- d) Statewide regulations shall apply except that all hunting is allowed by site-specific permit only. The Department of Natural Resources allocates permits for these areas through the lottery process set forth in Section 710.20. This permit is only valid for the specific site and season indicated on the permit.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Apple River Canyon State Park – Thompson and Salem Units (2)

Beaver Dam State Park (2)

Big Bend State Fish and Wildlife Area (1)

Big River State Forest (2)

Burning Star State Fish and Wildlife Area (2)

Butterfield Trail State Recreation Area (2)

Carlyle Lake State Fish and Wildlife Area – East Fork Management Unit
(2)

Castle Rock State Park (2)

Clinton Lake State Recreation Area (2)

Coffeen Lake State Fish and Wildlife Area (2)

Crawford County State Fish and Wildlife Area (2)

Dixon Springs State Park ~~(youth under the age of 18 prior to the first day of the season only)~~ (1)

Eagle Creek State Park (first two seasons only) (2)

Eldon Hazlet State Park (2)

Embarras River Bottoms State Habitat Area (2)

Ferne Clyffe State Park – Ferne Clyffe Hunting Area (1)

Fort Massac State Park ~~(youth under the age of 18 prior to the first day of the season only)~~ (1)

Fox Ridge State Park (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

French Bluff State Natural Area (2)

Green River State Wildlife Area (2)

Hamilton County State Conservation Area (2)

Hanover Bluff State Natural Area (2)

Harry "Babe" Woodyard State Natural Area (2)

Hidden Springs State Forest (2)

Horseshoe Lake State Park (Madison County)

Iroquois County State Wildlife Area (2)

Jim Edgar Panther Creek State Fish and Wildlife Area (2)

Johnson-Sauk Trail State Park (2)

Jubilee College State Park (1)

Kankakee River State Park (hunting hours are from ½ hour before sunrise until 12:00 noon) (1)

Kickapoo State Park (2)

Kishwaukee River State Fish and Wildlife Area (2)

Lowden Miller State Forest (2)

Mackinaw River State Fish and Wildlife Area (2)

Marseilles State Fish and Wildlife Area (site is open to hunting Monday through Thursday only; hunting hours are from ½ hour before sunrise until 8:30 a.m. with potential additional hunting hours being posted by the site; unauthorized personnel may not be on the site outside of the posted check station operating hours; hunters may only enter the site from designated

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

parking lots) (1)

Marshall State Fish and Wildlife Area (2)

Matthiessen State Park (South of Vermilion River Area) (1)

Mautino State Fish and Wildlife Area (2)

Meeker State Habitat Area (2)

Mermet Lake State Fish and Wildlife Area (2)

Middle Fork State Fish and Wildlife Management Area (2)

Mississippi Palisades State Park (closed during the fifth season) (2)

Momence Wetlands (1)

Moraine View State Park (no hunting on weekends during 4th and 5th season) (2)

Morrison Rockwood State Park (closed during the fifth season) (1)

Mt. Vernon Game Propagation Center

Newton Lake State Fish and Wildlife Area (2)

Paul C. Burrus State Habitat Area (2)

Pere Marquette State Park (Piasa, Quotoga, Potawatomi Camp Areas) (no hunting allowed on weekends) (2)

Pyramid State Park (2)

Pyramid State Park – Captain Unit (2)

Pyramid State Park – Denmark Unit (2)

Pyramid State Park – East Conant Unit (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Pyramid State Park – Galum Unit (2)

Rall Woods State Natural Area (2)

Ramsey Lake State Park (2)

Randolph County State Conservation Area (a handicapped hunter with a P-2 handicapped certification, accompanied by a non-hunting attendant, wanting to hunt at one of the site's two designated handicapped hunting spots is not required to have a site-specific permit; these hunting spots will be allocated on a first come-first served basis or via a drawing, if needed, held at the site office) (1)

Ray Norbut State Fish and Wildlife Area – Dutch Creek Unit (2)

Red Hills State Park (2)

Red Hills State Park/Chauncey Marsh (2)

Sahara Woods State Fish and Wildlife Area (2)

Sam Dale Lake State Fish and Wildlife Area (2)

Sam Parr State Fish and Wildlife Area (2)

Sand Ridge State Forest (2)

Sandy Ford State Natural Area

Sangamon County State Conservation Area

Sanganois State Conservation Area (Squirrel Timber Unit) (2)

Sangchris Lake State Park

Shelbyville State Fish and Wildlife Area (must have valid permit for Lake Shelbyville Project Lands – Moultrie County) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Siloam Springs State Park (2)

Siloam Springs State Park (Buckhorn Unit) (2)

Spoon River State Forest (2)

Starved Rock State Park (1)

Stephen A. Forbes State Park (2)

Tapley Woods State Natural Area (2)

Ten Mile Creek State Fish and Wildlife Area (2)

Vesely Land and Water Reserve (2)

Washington County State Conservation Area (1)

Wayne Fitzgerald State Recreation Area

Weinberg-King State Park (Scripps Unit) (2)

Weldon Springs State Park – Piatt County Unit (2)

Winston Tunnel State Natural Area (2)

Witkowsky State Wildlife Area (2)

Wolf Creek State Park (first 2 seasons only) (2)

Zoeller State Natural Area (2)

(Source: Amended at 44 Ill. Reg. _____, effective _____)

Section 710.70 Spring Youth Turkey Hunt

- a) Hunting Dates: March ~~27~~²⁸ and ~~28~~²⁹, ~~2021~~²⁰²⁰ and April ~~34~~ and ~~45~~, ~~2021~~²⁰²⁰.
The North Zone and South Zone are open concurrently for all 4 days.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- b) Open Counties: All counties listed in Section 710.10 are open to Spring Youth Turkey Hunting.
- c) Eligibility: The Spring Youth Turkey Hunt is open only to hunters who have not reached the age of 18 prior to the opening date of the youth season. Hunters must have an apprentice or youth hunting license, or they must have completed a State-approved Hunter Education course and have a hunting license, unless exempt. In addition, hunters must have a Habitat Stamp, unless exempt.
- d) Permit Requirements – Spring Youth Turkey Hunt
 - 1) All youth hunters must have a current, valid Youth Turkey Hunt Permit (\$10). Hunters are eligible to purchase only one Youth Turkey Hunt Permit. Hunting without a permit is a Class B misdemeanor (see 520 ILCS 5/2.9).
 - 2) For a county permit: Youth Turkey Hunt Permits valid for counties open to youth turkey hunting will be available for sale over-the-counter (OTC) from agents beginning the first Tuesday in March through the last day of the Youth Turkey Season.
 - 3) For a Special Hunt Area permit: Youth hunters may apply online (<http://dnr.state.il.us/admin/turkey.htm>) for a site-specific permit valid for one of the Special Hunt Areas. The application period begins the third Tuesday in January and ends the third Monday in February. Permits will be allocated via a lottery drawing in which Illinois residents will be given preference.
 - 4) The applicants must not have had their hunting privileges suspended or revoked in this State or any other state.
 - 5) A \$3 service fee will be charged for replacement permits issued by the Department, except when permits are lost in the mail, there will be no charge. Monies derived from this source will be deposited in the Wildlife and Fish Fund.
 - 6) The Youth Turkey Hunt Permit shall be valid only for the dates and counties/Special Hunt Area listed on the permit.

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

- 7) A permit issued for the Youth Turkey Hunt will count toward the maximum number of permits (Section 710.20(j)(3)) an individual can receive for the Spring Wild Turkey Season.
- e) Youth Turkey Hunting Regulations
- 1) Each hunter participating in the Illinois Youth Turkey Hunt while using an Apprentice Hunter License or Youth Hunting License must be accompanied by a non-hunting, validly-licensed (Illinois hunting license) adult who is 21 years of age or older.
 - 2) All other hunters (using other types of hunting licenses or license-exempt) participating in the Youth Turkey Hunt must each be accompanied by a non-hunting supervisor (parent, guardian or responsible adult). If the youth is hunting with a firearm, a nonresident supervisor must have a valid Illinois hunting license.
 - 3) The non-hunting supervisor must remain with the hunting youth so as to have the youth under immediate control. Each supervisor may only accompany a single youth at any given time during the hunt. The supervising adult shall be criminally liable for the actions of the youth in the hunting party and shall be subject to the criminal penalties provided by law.
 - 4) All regulations prescribed by Section 710.30 apply during the Youth Turkey Hunt.
- f) The following sites will be open to holders of a valid Youth Turkey Hunt Permit for the county in which the site is located. Persons wishing to hunt one of the listed sites should contact that site prior to hunting for information about site regulations and restrictions. Sites that require use of windshield cards by hunters as specified in 17 Ill. Adm. Code 510.10 are followed by a (2).

Anderson Lake State Fish and Wildlife Area

Apple River Canyon State Park – Thompson and Salem Units (2)

Argyle Lake State Park

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Big Bend State Fish and Wildlife Area (Whiteside County)

Big River State Forest (2)

Cache River State Natural Area

Cape Bend State Fish and Wildlife Area

Carlyle Lake State Fish and Wildlife Area (2)

Carlyle Lake State Fish and Wildlife Area – East Fork Management Unit
(2)

Copperhead Hollow State Wildlife Area (2)

Crab Orchard National Wildlife Refuge Public Hunting Area

Crawford County State Fish Wildlife Area

Cypress Pond State Natural Area

Deer Pond State Natural Area

Devil's Island State Fish and Wildlife Area

Dog Island State Wildlife Management Area

Ferne Clyffe State Park – Cedar Draper State Habitat Area

Giant City State Park

Green River State Wildlife Area (2)

Hanover Bluff State Natural Area (2)

Horseshoe Lake State Conservation Area – Alexander County

Kaskaskia River State Fish and Wildlife Area

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Kinkaid Lake State Fish and Wildlife Area

Lake Shelbyville Project Land (U.S. Army Corps of Engineers managed)
– Moultrie County

Lake Shelbyville Project Land (U.S. Army Corps of Engineers managed)
– Shelby County

Mackinaw River State Fish and Wildlife Area (2)

Marshall State Fish and Wildlife Area

Mermet Lake State Fish and Wildlife Area (2)

[Mississippi River Area Pools 21, 22, 24, 25 and 26](#)

Moraine View State Park (2)

~~[Mississippi River Area Pools 21, 22, 24, 25 and 26](#)~~

Mt. Vernon Game Propagation Center (1)

Nauvoo State Park (Max Rowe Unit Only) (2)

Newton Lake State Fish and Wildlife Area (2)

Pere Marquette State Park (open area east of Graham Hollow Road only)
(2)

Pyramid State Park (2)

Pyramid State Park – East Conant Unit (2)

Rall Woods State Natural Area (2)

Ray Norbut State Fish and Wildlife Area (2)

Rend Lake Corps of Engineers-managed land in Jefferson and
Franklin Counties

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Rend Lake State Fish and Wildlife Area

Sahara Woods State Fish and Wildlife Area (2)

Sam Parr State Fish and Wildlife Area (2)

Shelbyville State Fish and Wildlife Area (2)

Sielbeck Forest State Natural Area (2)

Siloam Springs State Park (2)

Siloam Springs State Park (Buckhorn Unit) (2)

Skinner Farm State Habitat Area

Spoon River State Forest (2)

Tapley Woods State Natural Area (2)

~~Trail of Tears State Forest~~

Ten Mile Creek State Fish and Wildlife Area

Trail of Tears State Forest

Turkey Bluffs State Fish and Wildlife Area

Union County State Conservation Area

Weinberg-King State Park (2)

Weinberg-King State Park (Cecil White Unit) (2)

Weinberg-King State Park (Scripps Unit) (2)

Weinberg-King State Park (Spunky Bottoms Unit) (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Winston Tunnel State Natural Area (2)

Wise Ridge State Natural Area

Witkowski State Wildlife Area (2)

- g) Statewide regulations shall apply except that all hunting is allowed by site-specific permit only. The Department of Natural Resources allocates permits for these areas through the lottery process set forth in Section 710.70(d). This permit is only valid for the specific site and season indicated on the permit.

Burning Star State Fish and Wildlife Area (2)

Butterfield Trail State Recreation Area (2)

Castle Rock State Park (2)

Clinton Lake State Recreation Area (2)

Coffeen Lake State Fish and Wildlife Area (2)

Crab Orchard National Wildlife Refuge (Closed Portion)

[Dixon Springs State Park](#)

Eldon Hazlet State Park (2)

Embarras River Bottoms State Habitat Area (2)

Ferne Clyffe State Park – Ferne Clyffe Hunting Area

[Fort Massac State Park \(2\)](#)

Harry "Babe" Woodyard State Natural Area (2)

Heidecke State Fish and Wildlife Area (Jugtown Unit)

Hidden Springs State Forest (2)

DEPARTMENT OF NATURAL RESOURCES

NOTICE OF PROPOSED AMENDMENTS

Iroquois County State Fish and Wildlife Area (2)

Jim Edgar Panther Creek State Fish and Wildlife Area

Kankakee River State Park

Kickapoo State Recreation Area (2)

Middle Fork State Fish and Wildlife Area (2)

Momence Wetlands

Ramsey Lake State Park (2)

Sam Dale Lake State Fish and Wildlife Area (2)

Sand Ridge State Forest

Sangchris Lake State Park

Stephen A. Forbes State Park (2)

Wayne Fitzgerald State Recreation Area

Weldon Springs – Piatt County Unit (2)

(Source: Amended at 44 Ill. Reg. _____, effective _____)

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Statements of Economic Interests
- 2) Code Citation: 2 Ill. Adm. Code 565
- 3) Section Number: 565.40 Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 4A-105 of the Illinois Governmental Ethics Act [5 ILCS 420/4A-105].
- 5) A Complete Description of the Subjects and Issues Involved: Pursuant to this emergency rulemaking, the provisions of Article 4A of the Illinois Governmental Ethics Act, 5 ILCS 420/4A, and Section IV of Executive Order 2015-09, providing for the filing of statements of economic interests, are suspended during the duration of the Gubernatorial Disaster Proclamation and for thirty days following its termination.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Pamela Wright
Office of the General Counsel
298 Howlett Building
Springfield IL 62756

pwright@ilsos.gov

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: All persons subject to 5 ILCS 420/3A-30 with deadlines due during the time period of the disaster proclamation.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: Small businesses will benefit from the extended deadlines.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

The full text of the Proposed Amendment is identical to that of the text of the Emergency Amendment for this Part, and begins in this issue of the *Illinois Register* on page 5782.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Business Corporation Act
- 2) Code Citation: 14 Ill. Adm. Code 150
- 3) Section Number: 150.740 Proposed Action: New Section
- 4) Statutory Authority: Implementing and authorized by the Business Corporation Act of 1983 [805 ILCS 5].
- 5) A Complete Description of the Subjects and Issues Involved: This new Section authorizes the Secretary of State to extend, for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, filing deadlines for materials required to be filed with the Secretary of State.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Pamela Wright
Office of the General Counsel
298 Howlett Building
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SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: All corporations with deadlines due during the time period of the disaster proclamation.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: Small businesses will benefit from the extended deadlines.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

The full text of the Proposed Amendment is identical to that of the text of the Emergency Amendment for this Part, and begins in this issue of the *Illinois Register* on page 5786.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: General Not-For-Profit Corporations
- 2) Code Citation: 14 Ill. Adm. Code 160
- 3) Section Number: 160.30 Proposed Action: New Section
- 4) Statutory Authority: Implementing and authorized by the General Not-for-Profit Corporation Act of 1986 [805 ILCS 105].
- 5) A Complete Description of the Subjects and Issues Involved: This new Section authorizes the Secretary of State to extend, for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, filing deadlines for materials required to be filed with the Secretary of State.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed amendment:

Pamela Wright
Office of the General Counsel
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SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

217/785-3094

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Not-for-profit corporations
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: These corporations will benefit from the extended deadlines.
- 14) Small Business Impact Analysis: Not-for-profit corporations will benefit by the extension of filing deadlines.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

The full text of the Proposed Amendment is identical to that of the text of the Emergency Amendment for this Part, and begins in this issue of the *Illinois Register* on page 5792.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Uniform Partnership Act (1997)
- 2) Code Citation: 14 Ill. Adm. Code 166
- 3) Section Number: 166.85 Proposed Action: New Section
- 4) Statutory Authority: Implementing and authorized by Section 1208 of the Uniform Partnership Act [805 ILCS 206/1208].
- 5) A Complete Description of the Subjects and Issues Involved: This new Section authorizes the Secretary of State to extend, for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, filing deadlines for materials required to be filed with the Secretary of State.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Pamela Wright
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298 Howlett Building
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pwright@ilsos.gov

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: All corporations with deadlines due during the time period of the disaster proclamation.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: Small businesses will benefit from the extended deadlines.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

The full text of the Proposed Amendment is identical to that of the text of the Emergency Amendment for this Part, and begins in this issue of the *Illinois Register* on page 5796.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Uniform Limited Partnership Act (2001)
- 2) Code Citation: 14 Ill. Adm. Code 171
- 3) Section Number: 171.90 Proposed Action: New Section
- 4) Statutory Authority: Implementing and authorized by Sections 108, 108.5, 109 and 902 of the Illinois Uniform Limited Partnership Act [805 ILCS 215/108, 108.5, 109 and 902].
- 5) A Complete Description of the Subjects and Issues Involved: This new Section authorizes the Secretary of State to extend, for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, filing deadlines for materials required to be filed with the Secretary of State.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Pamela Wright
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298 Howlett Building
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pwright@ilsos.gov

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: All corporations with deadlines due during the time period of the disaster proclamation.
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: Small businesses will benefit from the extended deadlines.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

The full text of the Proposed Amendment is identical to that of the text of the Emergency Amendment for this Part, and begins in this issue of the *Illinois Register* on page 5800.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Limited Liability Company Act
- 2) Code Citation: 14 Ill. Adm. Code 178
- 3) Section Number: 178.70 Proposed Action: New Section
- 4) Statutory Authority: Implementing and authorized by the Limited Liability Company Act [805 ILCS 180].
- 5) A Complete Description of the Subjects and Issues Involved: This new Section authorizes the Secretary of State to extend, for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38 issued on March 9, 2020, and for a period of 30 days thereafter, filing deadlines for materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a State mandate as described in Section 3(b) of the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this rulemaking:

Pamela Wright
Office of the General Counsel
298 Howlett Building
Springfield IL 62756

pwright@ilsos.gov
217/785-3094

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: Limited Liability Corporations
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: Small businesses will benefit from the extended deadlines for filing documents.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

The full text of the Proposed Amendment is identical to that of the text of the Emergency Amendment for this Part, and begins in this issue of the *Illinois Register* on page 5804.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Uniform Commercial Code
- 2) Code Citation: 14 Ill. Adm. Code 180
- 3) Section Number: 180.13 Proposed Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Article 9 of the Uniform Commercial Code [810 ILCS 5/Art. 9].
- 5) A Complete Description of the Subjects and Issues Involved: This new Section authorizes the Secretary of State to extend, for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38 issued on March 9, 2020, and for a period of 30 days thereafter, filing deadlines for materials required to be filed with the Secretary of State.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a State mandate as described in Section 3(b) of the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this rulemaking:

Pamela Wright
Office of the General Counsel
298 Howlett Building
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pwright@ilsos.gov

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: All business organizations with deadlines due during the time period of the disaster proclamation
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: Small businesses will benefit from the extended deadlines.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

The full text of the Proposed Amendment is identical to that of the text of the Emergency Amendment for this Part, and begins in this issue of the *Illinois Register* on page 5809.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Court of Claims Regulations
- 2) Code Citation: 74 Ill. Adm. Code 790
- 3) Section Number: 790.40 Proposed Action: Amendment
- 4) Statutory Authority: Authorized by Section 9A and implementing the Court of Claims Act [705 ILCS 505].
- 5) A Complete Description of the Subjects and Issues Involved: Pursuant to this amendment, for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38, issued on March 9, 2020 and for a period of 30 days thereafter, the statute of limitations for filing claims with the Illinois Court of Claims is tolled.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a State mandate as described in Section 3(b) of the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this rulemaking:

Brad Bucher
Court Administrator
630 S. College Street
Springfield IL 62756

bbucher@ilsos.gov
217/782-0111

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: No small businesses will be impacted by this rulemaking.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

The full text of the Proposed Amendment is identical to that of the text of the Emergency Amendment for this Part, and begins in this issue of the *Illinois Register* on page 5815.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Merit Commission
- 2) Code Citation: 80 Ill. Adm. Code 50
- 3) Section Number: 50.150 Proposed Action: New Section
- 4) Statutory Authority: Implementing and authorized by Sections 8-9a of the Secretary of State Merit Employment Code [15 ILCS 310].
- 5) A Complete Description of the Subjects and Issues Involved: This new Section authorizes the Secretary of State to extend for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38 issued on March 9, 2020, and for a period of 30 days thereafter the time for holding hearings pursuant to Section 9 of the Secretary of State Merit Employment Code.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a State mandate as described in Section 3(b) of the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this rulemaking:

Pamela Wright
Office of the General Counsel
298 Howlett Building
Springfield IL 62756

pwright@ilsos.gov
217/785-3094

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: No small businesses will be impacted by this rulemaking.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

The full text of the Proposed Amendment is identical to that of the text of the Emergency Amendment for this Part, and begins in this issue of the *Illinois Register* on page 5820.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Procedures and Standards
- 2) Code Citation: 92 Ill. Adm. Code 1001
- 3) Section Number: 1001.800 Proposed Action: New Section
- 4) Statutory Authority: 625 ILCS 5/2-104(b)
- 5) A Complete Description of the Subjects and Issues Involved: This new Section extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38 issued on March 9, 2020, and for a period of 30 days thereafter the time for holding administrative hearings
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace any emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
1001.400	Amendment	44 Ill. Reg. 2246; February 7, 2020
1001.440	Amendment	44 Ill. Reg. 2246; February 7, 2020
1001.441	Amendment	44 Ill. Reg. 2246; February 7, 2020
1001.442	Amendment	44 Ill. Reg. 2246; February 7, 2020
1001.444	Amendment	44 Ill. Reg. 2246; February 7, 2020
1001.465	Amendment	44 Ill. Reg. 2246; February 7, 2020

- 11) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a State mandate as described in Section 3(b) of the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this rulemaking:

Pamela Wright

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

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298 Howlett Building
Springfield IL 62756

pwright@ilsos.gov
217/785-3094

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: No small businesses will be impacted by this rulemaking.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

The full text of the Proposed Amendment is identical to that of the text of the Emergency Amendment for this Part, and begins in this issue of the *Illinois Register* on page 5824.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Certificates of Title, Registration of Vehicles
- 2) Code Citation: 92 Ill. Adm. Code 1010
- 3) Section Number: 1010.630 Proposed Action: New Section
- 4) Statutory Authority: 625 ILCS 5/2-104(b)
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter the expiration date of all vehicle registrations.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? Yes

<u>Section Number:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
1010.540	Amendment	44 Ill. Reg. 3341; March 6, 2020
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Pamela Wright
Office of the General Counsel
298 Howlett Building
Springfield IL 62756

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

pwright@ilsos.gov
217/785-3094

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: No small businesses will be impacted by this rulemaking.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

The full text of the Proposed Amendment is identical to that of the text of the Emergency Amendment for this Part, and begins in this issue of the *Illinois Register* on page 5831.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Issuance of Licenses
- 2) Code Citation: 92 Ill. Adm. Code 1030
- 3) Section Number: 1030.160 Proposed Action: New Section
- 4) Statutory Authority: 625 ILCS 5/2-104(b) and 15 ILCS 335/2(b)(2)
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking extends the expiration dates of all driver's licenses, instruction permits, permits and identification cards for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Pamela Wright
Office of the General Counsel
298 Howlett Building
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217/785-3094

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: No small businesses will be impacted by this rulemaking.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

The full text of the Proposed Amendment is identical to that of the text of the Emergency Amendment for this Part, and begins in this issue of the *Illinois Register* on page 5839.

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 1) Heading of the Part: Rules of the Road – Person with Disabilities Parking Program
- 2) Code Citation: 92 Ill. Adm. Code 1100
- 3) Section Number: 1100.50 Proposed Action: New Section
- 4) Statutory Authority: 625 ILCS 5/2-104(b)
- 5) A Complete Description of the Subjects and Issues Involved: This rulemaking extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter the expiration dates of all person with disabilities motorist decal or device.
- 6) Published studies or reports, and sources of underlying data, used to compose this rulemaking: None
- 7) Will this rulemaking replace an emergency rule currently in effect? Yes
- 8) Does this rulemaking contain an automatic repeal date? No
- 9) Does this rulemaking contain incorporations by reference? No
- 10) Are there any other rulemakings pending on this Part? No
- 11) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 12) Time, Place, and Manner in which interested persons may comment on this proposed rulemaking:

Pamela Wright
Office of the General Counsel
298 Howlett Building
Springfield IL 62756

pwright@ilsos.gov
217/785-3094

SECRETARY OF STATE

NOTICE OF PROPOSED AMENDMENT

- 13) Initial Regulatory Flexibility Analysis:
- A) Types of small businesses, small municipalities and not-for-profit corporations affected: None
 - B) Reporting, bookkeeping or other procedures required for compliance: None
 - C) Types of professional skills necessary for compliance: None
- 14) Small Business Impact Analysis: No small businesses will be impacted by this rulemaking.
- 15) Regulatory Agenda on which this rulemaking was summarized: This rulemaking was not included on either of the 2 most recent agendas because the Department did not anticipate this rulemaking at the time the agendas were filed.

The full text of the Proposed Amendment is identical to that of the text of the Emergency Amendment for this Part, and begins in this issue of the *Illinois Register* on page 5847.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Licensing Standards for Day Care Centers
- 2) Code Citation: 89 Ill. Adm. Code 407
- 3)

<u>Section Numbers:</u>	<u>Emergency Actions:</u>
407.500	New Section
407.505	New Section
407.510	New Section
407.515	New Section
407.520	New Section
407.525	New Section
- 4) Statutory Authority: 225 ILCS 10
- 5) Effective Date of Emergency Rule: March 20, 2020
- 6) If this emergency amendments are to expire before the end of the 150-day period, please specify the date on which they are to expire: None
- 7) Date Filed with the Index Department: March 20, 2020
- 8) A copy of the adopted emergency amendments, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Pursuant to the Governor's Executive Order 2020.10, all child care programs were ordered closed in the State of Illinois in order to confront the spread of the novel coronavirus. However, the State is mindful that child care is a critical service and is relied upon by front-line medical workers addressing the pandemic. In an effort to provide this critical support to front-line workers, medical staff, and all others critical to confronting the pandemic, the Department is establishing Emergency Day Care Programs in the State of Illinois.
- 10) A Complete Description of the Subjects and Issues Involved: The changes establish requirements for applicants to be licensed as an Exempt Emergency Child Care Program. These requirement apply to new applicants as well as those who are currently licensed child care programs.
- 11) Are there any other amendments pending to this Part? Yes

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
407.45	Amendment	43 Ill. Reg. 10634; September 27, 2020
407.250	Amendment	43 Ill. Reg. 10634; September 27, 2020
407.270	Amendment	43 Ill. Reg. 10634; September 27, 2020

- 12) Statement of Statewide Policy Objective: These amendments do not create or expand a State mandate.
- 13) Information and questions regarding these emergency rules shall be directed to:

Jeff Osowski
Office of Child and Family Policy
Department of Children and Family Services
406 E. Monroe, Station #65
Springfield IL 62701-1498

217/524-1983
TDD: 217/524-3715
DCFS.Policy@illinois.gov

The full text of the Emergency Amendments begins on the next page:

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

TITLE 89: SOCIAL SERVICES

CHAPTER III: DEPARTMENT OF CHILDREN AND FAMILY SERVICES

SUBCHAPTER e: REQUIREMENTS FOR LICENSURE

PART 407

LICENSING STANDARDS FOR DAY CARE CENTERS

Section

407.1	Purpose (Repealed)
407.2	Definitions (Repealed)
407.3	Effective Date of Standards (Repealed)
407.4	Application for License (Repealed)
407.5	Application for Renewal of License (Repealed)
407.6	Provisions Pertaining to the License (Repealed)
407.7	Provisions Pertaining to Permits (Repealed)
407.8	Organization and Administration (Repealed)
407.9	Finances (Repealed)
407.10	General Requirements for Personnel (Repealed)
407.11	Child Care Director (Repealed)
407.12	Child Care Workers and Group Workers (Repealed)
407.13	Child Care Assistants (Repealed)
407.14	Use of Students (Repealed)
407.15	Service Staff (Repealed)
407.16	Substitutes and Volunteers (Repealed)
407.17	Background Inquiry (Repealed)
407.18	Admission and Discharge Procedures (Repealed)
407.19	Discipline (Repealed)
407.20	Personal Care and Hygiene (Repealed)
407.21	Program (Repealed)
407.22	Equipment and Materials (Repealed)
407.23	Grouping and Staffing (Repealed)
407.24	Nutrition (Repealed)
407.25	Night Care (Repealed)
407.26	Children with Special Needs (Repealed)
407.27	Infants and Toddlers (Repealed)
407.28	School-Age Children (Repealed)
407.29	Health Requirements for Children (Repealed)
407.30	Transportation (Repealed)
407.31	Plant and Equipment (Repealed)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 407.32 Records and Reports (Repealed)
- 407.33 Confidentiality of Records and Information (Repealed)
- 407.34 Records Retention (Repealed)
- 407.35 Severability of This Part (Renumbered)

SUBPART A: INTRODUCTION, DEFINITIONS, AND APPLICABILITY

Section

- 407.40 Purpose and Applicability
- 407.45 Definitions

SUBPART B: PERMITS AND LICENSES

Section

- 407.50 Application for License
- 407.55 Application for Renewal of License
- 407.60 Provisions Pertaining to the License
- 407.65 Provisions Pertaining to Permits

SUBPART C: ADMINISTRATION

Section

- 407.70 Organization and Administration
- 407.80 Confidentiality of Records and Information

SUBPART D: STAFFING

Section

- 407.90 Staffing Structure
- 407.100 General Requirements for Personnel
- 407.110 Background Checks for Personnel
- 407.120 Personnel Records
- 407.130 Qualifications for Child Care Director
- 407.140 Qualifications for Early Childhood Teachers and School-age Workers
- 407.150 Qualifications for Early Childhood Assistants and School-age Worker Assistants
- 407.160 Students and Youth Aides
- 407.170 Substitutes
- 407.180 Volunteers
- 407.190 Grouping and Staffing

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

SUBPART E: PROGRAM REQUIREMENTS

Section

- 407.200 Program Requirements for All Ages
- 407.210 Special Requirements for Infants and Toddlers
- 407.220 Special Requirements for School-Age Children
- 407.230 Intergenerational Programs
- 407.240 Evening, Night, Weekend and Holiday Care

SUBPART F: STRUCTURE AND SAFETY

Section

- 407.250 Enrollment and Discharge Procedures
- 407.260 Daily Arrival and Departure of Children
- 407.270 Guidance and Discipline
- 407.280 Transportation
- 407.290 Swimming and Wading
- 407.300 Animals

SUBPART G: HEALTH AND HYGIENE

Section

- 407.310 Health Requirements for Children
- 407.320 Hand Washing
- 407.330 Nutrition and Meal Service
- 407.340 Diapering and Toileting Procedures
- 407.350 Napping and Sleeping
- 407.360 Medications

SUBPART H: FACILITY AND EQUIPMENT

Section

- 407.370 Physical Plant/Indoor Space
- 407.380 Equipment and Materials
- 407.390 Outdoor Play Area

SUBPART I: SEVERABILITY OF THIS PART

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Section
407.400 Severability of This Part

SUBPART J: EMERGENCY DAY CARE PROGRAM (EDC)Section

407.500 Purpose

EMERGENCY

407.505 Definitions

EMERGENCY

407.510 Application for License for Emergency Day Care Program

EMERGENCY

407.515 Compliance with Licensing Standards

EMERGENCY

407.520 On Site Visit

EMERGENCY

407.525 Approval of Application

EMERGENCY

- 407.APPENDIX A Equipment for Infants and Toddlers
- 407.APPENDIX B Equipment for Preschool Children
- 407.APPENDIX C Equipment for School-Age Children
- 407.APPENDIX D Infant Daily Food Requirements
- 407.APPENDIX E Meal Patterns and Serving Sizes for Child Care Programs
- 407.APPENDIX F Resource Reference List
- 407.APPENDIX G Early Childhood Teacher Credentialing Programs
- 407.APPENDIX H Playground Surfacing and Critical Height

AUTHORITY: Implementing and authorized by the Child Care Act of 1969 [225 ILCS 10] and the Children's Product Safety Act [430 ILCS 125].

SOURCE: Adopted and codified at 7 Ill. Reg. 9215, effective August 15, 1983; amended at 8 Ill. Reg. 8713, effective June 15, 1984; amended at 8 Ill. Reg. 24937, effective January 1, 1985; amended at 16 Ill. Reg. 7597, effective April 30, 1992; emergency amendment at 20 Ill. Reg. 11366, effective August 1, 1996, for a maximum of 150 days; emergency expired December 28, 1996; amended at 21 Ill. Reg. 923, effective January 15, 1997; amended at 22 Ill. Reg. 1728, effective January 1, 1998; amended at 24 Ill. Reg. 17036, effective November 1, 2000; amended at 28 Ill. Reg. 3011, effective February 15, 2004; amended at 29 Ill. Reg. 4502, effective March 15, 2005; amended at 34 Ill. Reg. 4700, effective March 22, 2010; amended at 36 Ill. Reg.

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

13076, effective August 15, 2012; amended at 38 Ill. Reg. 17293, effective August 1, 2014; emergency amendment at 42 Ill. Reg. 8555, effective May 9, 2018, for a maximum of 150 days; emergency expired October 5, 2018; amended at 43 Ill. Reg. 224, effective January 1, 2019; emergency amendment at 44 Ill. Reg. 5734, effective March 20, 2020, for a maximum of 150 days.

SUBPART J: EMERGENCY DAY CARE PROGRAM (EDC)Section 407.500 Purpose
EMERGENCY

The purpose of this Subpart J is to describe the process for approving Emergency Day Care Programs to provide day care for essential and critical care workers during the federal, State or local government-declared public health crisis due to the outbreak of COVID-19.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5734, effective March 20, 2020, for a maximum of 150 days)

Section 407.505 Definitions
EMERGENCY

The following definitions apply to this Subpart:

"Emergency Day Care Program" or "EDC" means:

Day care centers currently licensed pursuant to Section 407.50 that are now closed pursuant to the Governor's Executive Order No. 2020-10; or

A new program that has never held a license to operate a day care center, such as a location within or near a medical facility, for the purpose of child care for essential and critical care workers, as defined in the Governor's Executive Order No. 2020-10, for the duration of the COVID-19 Gubernatorial Disaster Proclamation.

"Essential and critical care workers" are employees permitted to work and exempt from the Governor's Executive Order No. 2020-10.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5734, effective March 20, 2020, for a maximum of 150 days)

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

Section 407.510 Application for Emergency Day Care Program
EMERGENCY

- a) Each applicant shall complete an application for licensure to operate an Emergency Day Care Program on a form prescribed by the Department. Applications can be obtained from any Day Care Licensing Representative and shall be available online. Applications may be submitted via email at Emergency.Daycare@illinois.gov.
- b) The application for a license shall be completed by the officers of the governing body of the Emergency Day Care Program, or its authorized representative, on forms prescribed and furnished by the Department.
- c) Day care centers currently licensed pursuant to Section 407.50 that are now closed pursuant to the Governor's Executive Order No. 2020-10 may submit partial applications, provided that the application is complete within 5 days after the initial submission. For any application to be considered complete, the following shall be attached to the application form:
 - 1) Risk Management Plan (Section 407.70(k));
 - 2) Staffing Plan (Section 407.90(a));
 - 3) Guidance and Discipline Policy (Section 407.270);
 - 4) Medication Policy (Section 407.360); and
 - 5) All persons subject to the background check requirements of 89 Ill. Adm. Code 385 (Background Checks) and each person's complete, signed authorization to conduct the background check (Section 407.110).

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5734, effective March 20, 2020, for a maximum of 150 days)

Section 407.515 Compliance with Licensing Standards
EMERGENCY

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- a) An applicant for an Emergency Day Care Program license shall demonstrate compliance with the following:
- 1) Section 407.70(k);
 - 2) Section 407.90(a)(3) and (b);
 - 3) Section 407.100(a), (b)(1), (g), (h), and (i);
 - 4) Section 407.110;
 - 5) Section 407.120(a)(1), (2), (4), and (6), (b), (c), (e)(1), (3), (4) and (5), and (f)(1);
 - 6) Section 407.190(f);
 - 7) Section 407.250(i)(1);
 - 8) Section 407.260(b) and (d);
 - 9) Section 407.270;
 - 10) Section 407.310(b) and (c);
 - 11) Section 407.320(a), (b), (c), and (e);
 - 12) Section 407.330(j) and (k);
 - 13) Section 407.340(c), (h), and (i);
 - 14) Section 407.350(a) and (d);
 - 15) Section 407.360(a), (b), (c), and (d);
 - 16) Section 407.370(f)(1)(A) and (B), (r)(1), (2) and (3), and (t)(1);
 - 17) Section 407.380(g) and (j)(4); and

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 18) Section 407.140 (minimum requirements for Emergency Day Care Program teachers, which will apply to Program Directors);
- b) The applicant shall ensure compliance with the following requirements:
- 1) Each classroom shall be staffed with at least one Early Childhood Teacher or assistant, or School-age Worker Assistant;
 - 2) Child care must be carried out in stable groups of 10 or fewer ("stable" means that the same 10 or fewer children are in the same group each day);
 - 3) Infants and toddlers must maintain a ratio of 1 staff to every 4 children;
 - 4) Children shall not change from one group to another;
 - 5) If more than one group of children is cared for at one facility, each group shall be in a separate room. Groups shall not mix with each other;
 - 6) Child care providers shall remain solely with one group of children;
 - 7) Child care staff may work a maximum of 12 hours in a 24-hour period; and
 - 8) All staff and children are compliant with up-to-date CDC Guidance about health and behavioral instructions as related to COVID-19. Visit www.CDC.gov for update guidance.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5734, effective March 20, 2020, for a maximum of 150 days)

Section 407.520 On Site Visit
EMERGENCY

- a) For currently licensed day care centers, an on-site visit shall not be required when:
- 1) The day care center will continue to operate with the same capacity and age groupings except no room or group shall have more than 10 children; and

DEPARTMENT OF CHILDREN AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENTS

- 2) The day care center's licensing representative has visited the facility at least once in the most recent 12-month period.
- b) For all other applicants, a licensing visit shall be conducted within 48 hours after the receipt of the application.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5734, effective March 20, 2020, for a maximum of 150 days)

Section 407.525 Approval of Application
EMERGENCY

- a) Upon receipt of a complete, signed application for a license, the Department shall conduct a licensing study in order to determine that the Emergency Day Care Program meets licensing standards. The licensing study shall be in writing and shall be reviewed and signed by the licensing supervisor and the licensing representative performing the study.
- b) Day care centers currently licensed pursuant to Section 407.50 (now closed pursuant to the Governor's Executive Order No. 2020-10) will be granted a five-business day grace period during which they may operate while pending approval of the Emergency Day Care Program license.
- c) If the day care center, or another building or location not currently licensed, is approved as an Emergency Day Care Program, the Department will issue an emergency license to the applicant.
- d) During the hours of operation, Department staff has discretion to visit the licensed Emergency Day Care Program to ensure the health and safety of children, and to provide support and resources for the program. Ninety days following the issuance of the license, a recertification visit will be conducted by licensing staff for operating Emergency Day Care Programs.
- e) An Emergency Day Care Program that was not previously licensed under Section 407.50 shall surrender the license and close within 30 days after the expiration of the COVID-19 Gubernatorial Disaster Proclamation.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5734, effective March 20, 2020, for a maximum of 150 days)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Medical Payment
- 2) Code Citation: 89 Ill. Adm. Code 140
- 3) Section Number: 140.403 Emergency Action: Amendment
- 4) Statutory Authority: Section 12-13 of the Illinois Public Aid Code [305 ILCS 5/12-13]
- 5) Effective Date of Rule: March 20, 2020
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: Upon adoption of the proposed general rulemaking.
- 7) Date Filed with the Index Department: March 20, 2020
- 8) A copy of the emergency rules, including any materials incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: The United States Secretary of Health and Human Services has declared Coronavirus Disease 2019 (COVID-19) presents a public health emergency. On March 9, 2020, Governor Pritzker declared a disaster within the State of Illinois and that it is necessary and appropriate to make additional State resources available to ensure that the effects of COVID-19 are mitigated and minimized and that residents and visitors in the State remain safe and secure. The Centers for Disease Control and Prevention (CDC) currently recommends COVID-19 mitigations measures including: practicing social distancing, staying at home when sick, staying home when a household member is sick with respiratory disease symptoms or when instructed to do so by public health officials or a health care provider, and keeping away from others who are sick. To ensure medical assistance clients can comply with current CDC recommendations regarding COVID-19 and maintain access to medically necessary services during this public health emergency, the Department finds that implementing significantly broadened telehealth rules to accommodate new places of service and means of engagement and communication is an emergency and necessary to protect the public interest, safety and welfare. The timely implementation of these changes will ensure the safety and health of both clients and providers by allowing medical services to be delivered without an in-person interaction where medically appropriate.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 10) Complete Description of the Subjects and Issues Involved: This amendment significantly broadens telehealth rules to accommodate new places of service and means of engagement and communication during the COVID-19 public health emergency.

- 11) Are there any other rulemakings pending on this Part? Yes

<u>Section Number:</u>	<u>Proposed Action:</u>	<u>Illinois Register Citation:</u>
140.442	Amendment	44 Ill. Reg. 4288; March 20, 2020

- 12) Statement of Statewide Policy Objective: This emergency rulemaking significantly broadens the telehealth program rules to accommodate new places of service and means of engagement and communication. This rulemaking does not require local governments to establish, expand or modify its activities in such a way as to necessitate additional expenditures from local revenues. It is the intent of this rulemaking to allow medical assistance providers to use existing and readily available technology and communications systems to deliver care, therefore broadening coverage and encouraging increased access to care.

- 13) Information and questions regarding this emergency rule shall be directed to:

Steffanie Garrett
General Counsel
Illinois Department of Healthcare and Family Services
201 South Grand Avenue E., 3rd Floor
Springfield IL 62763-0002

HFS.Rules@illinois.gov

The full text of the Emergency Amendment begins on the next page:

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

TITLE 89: SOCIAL SERVICES

CHAPTER I: DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

SUBCHAPTER d: MEDICAL PROGRAMS

PART 140

MEDICAL PAYMENT

SUBPART A: GENERAL PROVISIONS

Section

- 140.1 Incorporation By Reference
- 140.2 Medical Assistance Programs
- 140.3 Covered Services Under Medical Assistance Programs
- 140.4 Covered Medical Services Under AFDC-MANG for non-pregnant persons who are 18 years of age or older (Repealed)
- 140.5 Covered Medical Services Under General Assistance
- 140.6 Medical Services Not Covered
- 140.7 Medical Assistance Provided to Individuals Under the Age of Eighteen Who Do Not Qualify for AFDC and Children Under Age Eight
- 140.8 Medical Assistance For Qualified Severely Impaired Individuals
- 140.9 Medical Assistance for a Pregnant Woman Who Would Not Be Categorically Eligible for AFDC/AFDC-MANG if the Child Were Already Born Or Who Do Not Qualify As Mandatory Categorically Needy
- 140.10 Medical Assistance Provided to Persons Confined or Detained by the Criminal Justice System

SUBPART B: MEDICAL PROVIDER PARTICIPATION

Section

- 140.11 Enrollment Conditions for Medical Providers
- 140.12 Participation Requirements for Medical Providers
- 140.13 Definitions
- 140.14 Denial of Application to Participate in the Medical Assistance Program
- 140.15 Suspension and Denial of Payment, Recovery of Money and Penalties
- 140.16 Termination, Suspension or Exclusion of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.17 Suspension of a Vendor's Eligibility to Participate in the Medical Assistance Program
- 140.18 Effect of Termination, Suspension, Exclusion or Revocation on Persons

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- Associated with Vendor
- 140.19 Application to Participate or for Reinstatement Subsequent to Termination, Suspension, Exclusion or Barring
- 140.20 Submittal of Claims
- 140.21 Reimbursement for QMB Eligible Medical Assistance Recipients and QMB Eligible Only Recipients and Individuals Who Are Entitled to Medicare Part A or Part B and Are Eligible for Some Form of Medicaid Benefits
- 140.22 Magnetic Tape Billings (Repealed)
- 140.23 Payment of Claims
- 140.24 Payment Procedures
- 140.25 Overpayment or Underpayment of Claims
- 140.26 Payment to Factors Prohibited
- 140.27 Assignment of Vendor Payments
- 140.28 Record Requirements for Medical Providers
- 140.30 Audits
- 140.31 Emergency Services Audits
- 140.32 Prohibition on Participation, and Special Permission for Participation
- 140.33 Publication of List of Sanctioned Entities
- 140.35 False Reporting and Other Fraudulent Activities
- 140.40 Prior Approval for Medical Services or Items
- 140.41 Prior Approval in Cases of Emergency
- 140.42 Limitation on Prior Approval
- 140.43 Post Approval for Items or Services When Prior Approval Cannot Be Obtained
- 140.44 Withholding of Payments Due to Fraud or Misrepresentation
- 140.45 Withholding of Payments Upon Provider Audit, Quality of Care Review, Credible Allegation of Fraud or Failure to Cooperate
- 140.55 Electronic Data Interchange Service
- 140.71 Reimbursement for Medical Services Through the Use of a C-13 Invoice Voucher
- Advance Payment and Expedited Payments
- 140.72 Drug Manual (Recodified)
- 140.73 Drug Manual Updates (Recodified)
- 140.74 Resolution of Claims Related to Inaccurate or Updated Enrollment Information
- 140.75 Managed Care – Disputed Provider Claims Resolution Process

SUBPART C: PROVIDER ASSESSMENTS

Section

- 140.80 Hospital Provider Fund
- 140.82 Developmentally Disabled Care Provider Fund

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

140.84	Long Term Care Provider Fund
140.86	Supportive Living Facility Funds
140.88	Managed Care Organization Provider Assessment
140.94	Medicaid Developmentally Disabled Provider Participation Fee Trust Fund/Medicaid Long Term Care Provider Participation Fee Trust Fund (Repealed)
140.95	Hospital Services Trust Fund (Repealed)
140.96	General Requirements (Recodified)
140.97	Special Requirements (Recodified)
140.98	Covered Hospital Services (Recodified)
140.99	Hospital Services Not Covered (Recodified)
140.100	Limitation On Hospital Services (Recodified)
140.101	Transplants (Recodified)
140.102	Heart Transplants (Recodified)
140.103	Liver Transplants (Recodified)
140.104	Bone Marrow Transplants (Recodified)
140.110	Disproportionate Share Hospital Adjustments (Recodified)
140.116	Payment for Inpatient Services for GA (Recodified)
140.117	Hospital Outpatient and Clinic Services (Recodified)
140.200	Payment for Hospital Services During Fiscal Year 1982 (Recodified)
140.201	Payment for Hospital Services After June 30, 1982 (Repealed)
140.202	Payment for Hospital Services During Fiscal Year 1983 (Recodified)
140.203	Limits on Length of Stay by Diagnosis (Recodified)
140.300	Payment for Pre-operative Days and Services Which Can Be Performed in an Outpatient Setting (Recodified)
140.350	Copayments (Recodified)
140.360	Payment Methodology (Recodified)
140.361	Non-Participating Hospitals (Recodified)
140.362	Pre July 1, 1989 Services (Recodified)
140.363	Post June 30, 1989 Services (Recodified)
140.364	Prepayment Review (Recodified)
140.365	Base Year Costs (Recodified)
140.366	Restructuring Adjustment (Recodified)
140.367	Inflation Adjustment (Recodified)
140.368	Volume Adjustment (Repealed)
140.369	Groupings (Recodified)
140.370	Rate Calculation (Recodified)
140.371	Payment (Recodified)
140.372	Review Procedure (Recodified)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

140.373	Utilization (Repealed)
140.374	Alternatives (Recodified)
140.375	Exemptions (Recodified)
140.376	Utilization, Case-Mix and Discretionary Funds (Repealed)
140.390	Subacute Alcoholism and Substance Abuse Services (Recodified)
140.391	Definitions (Recodified)
140.392	Types of Subacute Alcoholism and Substance Abuse Services (Recodified)
140.394	Payment for Subacute Alcoholism and Substance Abuse Services (Recodified)
140.396	Rate Appeals for Subacute Alcoholism and Substance Abuse Services (Recodified)
140.398	Hearings (Recodified)

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section

140.400	Payment to Practitioners
140.402	Copayments for Noninstitutional Medical Services
140.403	Telehealth Services

EMERGENCY

140.405	Non-Institutional Rate Reductions
140.410	Physicians' Services
140.411	Covered Services By Physicians
140.412	Services Not Covered By Physicians
140.413	Limitation on Physician Services
140.414	Requirements for Prescriptions and Dispensing of Pharmacy Items – Prescribers
140.416	Optometric Services and Materials
140.417	Limitations on Optometric Services
140.418	Department of Corrections Laboratory
140.420	Dental Services
140.421	Limitations on Dental Services
140.422	Requirements for Prescriptions and Dispensing Items of Pharmacy Items – Dentists (Repealed)
140.423	Licensed Clinical Psychologist Services
140.424	Licensed Clinical Social Worker Services
140.425	Podiatry Services
140.426	Limitations on Podiatry Services
140.427	Requirement for Prescriptions and Dispensing of Pharmacy Items – Podiatry (Repealed)
140.428	Chiropractic Services

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

140.429	Limitations on Chiropractic Services (Repealed)
140.430	Independent Clinical Laboratory Services
140.431	Services Not Covered by Independent Clinical Laboratories
140.432	Limitations on Independent Clinical Laboratory Services
140.433	Payment for Clinical Laboratory Services
140.434	Record Requirements for Independent Clinical Laboratories
140.435	Advanced Practice Nurse Services
140.436	Limitations on Advanced Practice Nurse Services
140.438	Diagnostic Imaging Services
140.439	Critical Access Care Pharmacy Payment
140.440	Pharmacy Services
140.441	Pharmacy Services Not Covered
140.442	Prior Approval of Prescriptions
140.443	Filling of Prescriptions
140.444	Compounded Prescriptions
140.445	Legend Prescription Items (Not Compounded)
140.446	Over-the-Counter Items
140.447	Reimbursement
140.448	Returned Pharmacy Items
140.449	Payment of Pharmacy Items
140.450	Record Requirements for Pharmacies
140.451	Prospective Drug Review and Patient Counseling
140.452	Community-based Mental Health Providers Qualified for Payment
140.453	Community-based Mental Health Service Definitions and Professional Qualifications
140.454	Types of Mental Health Services
140.455	Payment for Mental Health Services
140.456	Hearings
140.457	Therapy Services
140.458	Prior Approval for Therapy Services
140.459	Payment for Therapy Services
140.460	Clinic Services
140.461	Clinic Participation, Data and Certification Requirements
140.462	Covered Services in Clinics
140.463	Clinic Service Payment
140.464	Hospital-Based and Encounter Rate Clinic Payments
140.465	Speech and Hearing Clinics (Repealed)
140.466	Rural Health Clinics (Repealed)
140.467	Independent Clinics

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

140.469	Hospice
140.470	Eligible Home Health Care, Nursing and Public Health Providers
140.471	Description of Home Health Care Services
140.472	Home Health Care Services
140.473	Prior Approval for Home Health Care Services
140.474	Payment for Home Health Care Services
140.475	Medical Equipment, Supplies, Prosthetic Devices and Orthotic Devices
140.476	Medical Equipment, Supplies, Prosthetic Devices and Orthotic Devices for Which Payment Will Not Be Made
140.477	Limitations on Equipment, Prosthetic Devices and Orthotic Devices
140.478	Prior Approval for Medical Equipment, Supplies, Prosthetic Devices and Orthotic Devices
140.479	Limitations, Medical Supplies
140.480	Equipment Rental Limitations
140.481	Payment for Medical Equipment, Supplies, Prosthetic Devices and Hearing Aids
140.482	Family Planning Services
140.483	Limitations on Family Planning Services
140.484	Payment for Family Planning Services
140.485	Healthy Kids Program
140.486	Illinois Healthy Women
140.487	Healthy Kids Program Timeliness Standards
140.488	Periodicity Schedules, Immunizations and Diagnostic Laboratory Procedures
140.490	Medical Transportation
140.491	Medical Transportation Limitations and Authorization Process
140.492	Payment for Medical Transportation
140.493	Payment for Helicopter Transportation
140.494	Record Requirements for Medical Transportation Services
140.495	Psychological Services
140.496	Payment for Psychological Services
140.497	Hearing Aids
140.498	Fingerprint-Based Criminal Background Checks
140.499	Behavioral Health Clinic

SUBPART E: GROUP CARE

Section	
140.500	Long Term Care Services
140.502	Cessation of Payment at Federal Direction
140.503	Cessation of Payment for Improper Level of Care

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

140.504	Cessation of Payment Because of Termination of Facility
140.505	Informal Hearing Process for Denial of Payment for New ICF/MR
140.506	Provider Voluntary Withdrawal
140.507	Continuation of Provider Agreement
140.510	Determination of Need for Group Care
140.511	Long Term Care Services Covered By Department Payment
140.512	Utilization Control
140.513	Notification of Change in Resident Status
140.514	Certifications and Recertifications of Care (Repealed)
140.515	Management of Recipient Funds – Personal Allowance Funds
140.516	Recipient Management of Funds
140.517	Correspondent Management of Funds
140.518	Facility Management of Funds
140.519	Use or Accumulation of Funds
140.520	Management of Recipient Funds – Local Office Responsibility
140.521	Room and Board Accounts
140.522	Reconciliation of Recipient Funds
140.523	Bed Reserves
140.524	Cessation of Payment Due to Loss of License
140.525	Quality Incentive Program (QUIP) Payment Levels
140.526	County Contribution to Medicaid Reimbursement (Repealed)
140.527	Quality Incentive Survey (Repealed)
140.528	Payment of Quality Incentive (Repealed)
140.529	Reviews (Repealed)
140.530	Basis of Payment for Long Term Care Services
140.531	General Service Costs
140.532	Health Care Costs
140.533	General Administration Costs
140.534	Ownership Costs
140.535	Costs for Interest, Taxes and Rent
140.536	Organization and Pre-Operating Costs
140.537	Payments to Related Organizations
140.538	Special Costs
140.539	Reimbursement for Basic Nursing Assistant, Developmental Disabilities Aide, Basic Child Care Aide and Habilitation Aide Training and Nursing Assistant Competency Evaluation
140.540	Costs Associated With Nursing Home Care Reform Act and Implementing Regulations
140.541	Salaries Paid to Owners or Related Parties

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

140.542	Cost Reports – Filing Requirements
140.543	Time Standards for Filing Cost Reports
140.544	Access to Cost Reports (Repealed)
140.545	Penalty for Failure to File Cost Reports
140.550	Update of Operating Costs
140.551	General Service Costs Updates
140.552	Nursing and Program Costs
140.553	General Administrative Costs Updates
140.554	Component Inflation Index (Repealed)
140.555	Minimum Wage
140.560	Components of the Base Rate Determination
140.561	Support Costs Components
140.562	Nursing Costs
140.563	Capital Costs
140.565	Kosher Kitchen Reimbursement
140.566	Out-of-State Placement
140.567	Level II Incentive Payments (Repealed)
140.568	Duration of Incentive Payments (Repealed)
140.569	Clients With Exceptional Care Needs
140.570	Capital Rate Component Determination
140.571	Capital Rate Calculation
140.572	Total Capital Rate
140.573	Other Capital Provisions
140.574	Capital Rates for Rented Facilities
140.575	Newly Constructed Facilities (Repealed)
140.576	Renovations (Repealed)
140.577	Capital Costs for Rented Facilities (Renumbered)
140.578	Property Taxes
140.579	Specialized Living Centers
140.580	Mandated Capital Improvements (Repealed)
140.581	Qualifying as Mandated Capital Improvement (Repealed)
140.582	Cost Adjustments
140.583	Campus Facilities
140.584	Illinois Municipal Retirement Fund (IMRF)
140.590	Audit and Record Requirements
140.642	Screening Assessment for Nursing Facility and Alternative Residential Settings and Services
140.643	In-Home Care Program
140.645	Home and Community Based Services Waivers for Medically Fragile,

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

140.646	Technology Dependent, Disabled Persons Under Age 21 (Repealed) Reimbursement for Developmental Training (DT) Services for Individuals With Developmental Disabilities Who Reside in Long Term Care (ICF and SNF) and Residential (ICF/MR) Facilities
140.647	Description of Developmental Training (DT) Services
140.648	Determination of the Amount of Reimbursement for Developmental Training (DT) Programs
140.649	Effective Dates of Reimbursement for Developmental Training (DT) Programs
140.650	Certification of Developmental Training (DT) Programs
140.651	Decertification of Day Programs
140.652	Terms of Assurances and Contracts
140.680	Effective Date Of Payment Rate
140.700	Discharge of Long Term Care Residents
140.830	Appeals of Rate Determinations
140.835	Determination of Cap on Payments for Long Term Care (Repealed)

SUBPART F: FEDERAL CLAIMING FOR STATE AND
LOCAL GOVERNMENTAL ENTITIES

Section	
140.850	Reimbursement of Administrative Expenditures
140.855	Administrative Claim Review and Reconsideration Procedure
140.860	County Owned or Operated Nursing Facilities
140.865	Sponsor Qualifications (Repealed)
140.870	Sponsor Responsibilities (Repealed)
140.875	Department Responsibilities (Repealed)
140.880	Provider Qualifications (Repealed)
140.885	Provider Responsibilities (Repealed)
140.890	Payment Methodology (Repealed)
140.895	Contract Monitoring (Repealed)
140.896	Reimbursement For Program Costs (Active Treatment) For Clients in Long Term Care Facilities For the Developmentally Disabled (Recodified)
140.900	Reimbursement For Nursing Costs For Geriatric Residents in Group Care Facilities (Recodified)
140.901	Functional Areas of Needs (Recodified)
140.902	Service Needs (Recodified)
140.903	Definitions (Recodified)
140.904	Times and Staff Levels (Repealed)
140.905	Statewide Rates (Repealed)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

140.906	Reconsiderations (Recodified)
140.907	Midnight Census Report (Recodified)
140.908	Times and Staff Levels (Recodified)
140.909	Statewide Rates (Recodified)
140.910	Referrals (Recodified)
140.911	Basic Rehabilitation Aide Training Program (Recodified)
140.912	Interim Nursing Rates (Recodified)

SUBPART G: MATERNAL AND CHILD HEALTH PROGRAM

Section	
140.920	General Description
140.922	Covered Services
140.924	Maternal and Child Health Provider Participation Requirements
140.926	Client Eligibility (Repealed)
140.928	Client Enrollment and Program Components (Repealed)
140.930	Reimbursement
140.932	Payment Authorization for Referrals (Repealed)

SUBPART H: ILLINOIS COMPETITIVE ACCESS AND
REIMBURSEMENT EQUITY (ICARE) PROGRAM

Section	
140.940	Illinois Competitive Access and Reimbursement Equity (ICARE) Program (Recodified)
140.942	Definition of Terms (Recodified)
140.944	Notification of Negotiations (Recodified)
140.946	Hospital Participation in ICARE Program Negotiations (Recodified)
140.948	Negotiation Procedures (Recodified)
140.950	Factors Considered in Awarding ICARE Contracts (Recodified)
140.952	Closing an ICARE Area (Recodified)
140.954	Administrative Review (Recodified)
140.956	Payments to Contracting Hospitals (Recodified)
140.958	Admitting and Clinical Privileges (Recodified)
140.960	Inpatient Hospital Care or Services by Non-Contracting Hospitals Eligible for Payment (Recodified)
140.962	Payment to Hospitals for Inpatient Services or Care not Provided under the ICARE Program (Recodified)
140.964	Contract Monitoring (Recodified)

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 140.966 Transfer of Recipients (Recodified)
- 140.968 Validity of Contracts (Recodified)
- 140.970 Termination of ICARE Contracts (Recodified)
- 140.972 Hospital Services Procurement Advisory Board (Recodified)
- 140.980 Elimination Of Aid To The Medically Indigent (AMI) Program (Emergency Expired)
- 140.982 Elimination Of Hospital Services For Persons Age Eighteen (18) And Older And Persons Married And Living With Spouse, Regardless Of Age (Emergency Expired)

SUBPART I: PRIMARY CARE CASE MANAGEMENT PROGRAM

Section

- 140.990 Primary Care Case Management Program
- 140.991 Primary Care Provider Participation Requirements
- 140.992 Populations Eligible to Participate in the Primary Care Case Management Program
- 140.993 Care Management Fees
- 140.994 Panel Size and Affiliated Providers
- 140.995 Mandatory Enrollment
- 140.996 Access to Health Care Services
- 140.997 Payment for Services

SUBPART J: ALTERNATE PAYEE PARTICIPATION

Section

- 140.1001 Registration Conditions for Alternate Payees
- 140.1002 Participation Requirements for Alternate Payees
- 140.1003 Recovery of Money for Alternate Payees
- 140.1004 Conditional Registration for Alternate Payees
- 140.1005 Revocation of an Alternate Payee

SUBPART K: MANDATORY MCO ENROLLMENT

Section

- 140.1010 Mandatory Enrollment in MCOs

SUBPART L: UNAUTHORIZED USE OF MEDICAL ASSISTANCE

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

Section

140.1300 Definitions

140.1310 Recovery of Money

140.1320 Penalties

140.1330 Enforcement

140.TABLE A Criteria for Non-Emergency Ambulance Transportation

140.TABLE B Geographic Areas

140.TABLE C Capital Cost Areas

140.TABLE D Schedule of Dental Procedures

140.TABLE E Time Limits for Processing of Prior Approval Requests

140.TABLE F Podiatry Service Schedule

140.TABLE G Travel Distance Standards

140.TABLE H Areas of Major Life Activity

140.TABLE I Staff Time and Allocation for Training Programs (Recodified)

140.TABLE J Rate Regions

140.TABLE K Services Qualifying for 10% Add-On (Repealed)

140.TABLE L Services Qualifying for 10% Add-On to Surgical Incentive Add-On (Repealed)

140.TABLE M Enhanced Rates for Maternal and Child Health Provider Services (Repealed)

140.TABLE N Program Approval for Specified Behavioral Health Services

140.TABLE O Criteria for Participation as a Behavioral Health Clinic

AUTHORITY: Implementing and authorized by Articles III, IV, V and VI and Section 12-13 of the Illinois Public Aid Code [305 ILCS 5].

SOURCE: Adopted at 3 Ill. Reg. 24, p. 166, effective June 10, 1979; rule repealed and new rule adopted at 6 Ill. Reg. 8374, effective July 6, 1982; emergency amendment at 6 Ill. Reg. 8508, effective July 6, 1982, for a maximum of 150 days; amended at 7 Ill. Reg. 681, effective December 30, 1982; amended at 7 Ill. Reg. 7956, effective July 1, 1983; amended at 7 Ill. Reg. 8308, effective July 1, 1983; amended at 7 Ill. Reg. 8271, effective July 5, 1983; emergency amendment at 7 Ill. Reg. 8354, effective July 5, 1983, for a maximum of 150 days; amended at 7 Ill. Reg. 8540, effective July 15, 1983; amended at 7 Ill. Reg. 9382, effective July 22, 1983; amended at 7 Ill. Reg. 12868, effective September 20, 1983; peremptory amendment at 7 Ill. Reg. 15047, effective October 31, 1983; amended at 7 Ill. Reg. 17358, effective December 21, 1983; amended at 8 Ill. Reg. 254, effective December 21, 1983; emergency amendment at 8 Ill. Reg. 580, effective January 1, 1984, for a maximum of 150 days; codified at 8 Ill. Reg. 2483; amended at 8 Ill. Reg. 3012, effective February 22, 1984; amended at 8 Ill. Reg. 5262, effective April 9, 1984; amended at 8 Ill. Reg. 6785, effective April 27, 1984; amended at 8 Ill. Reg. 6983,

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

effective May 9, 1984; amended at 8 Ill. Reg. 7258, effective May 16, 1984; emergency amendment at 8 Ill. Reg. 7910, effective May 22, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 7910, effective June 1, 1984; amended at 8 Ill. Reg. 10032, effective June 18, 1984; emergency amendment at 8 Ill. Reg. 10062, effective June 20, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 13343, effective July 17, 1984; amended at 8 Ill. Reg. 13779, effective July 24, 1984; Sections 140.72 and 140.73 recodified to 89 Ill. Adm. Code 141 at 8 Ill. Reg. 16354; amended (by adding sections being codified with no substantive change) at 8 Ill. Reg. 17899; peremptory amendment at 8 Ill. Reg. 18151, effective September 18, 1984; amended at 8 Ill. Reg. 21629, effective October 19, 1984; peremptory amendment at 8 Ill. Reg. 21677, effective October 24, 1984; amended at 8 Ill. Reg. 22097, effective October 24, 1984; peremptory amendment at 8 Ill. Reg. 22155, effective October 29, 1984; amended at 8 Ill. Reg. 23218, effective November 20, 1984; emergency amendment at 8 Ill. Reg. 23721, effective November 21, 1984, for a maximum of 150 days; amended at 8 Ill. Reg. 25067, effective December 19, 1984; emergency amendment at 9 Ill. Reg. 407, effective January 1, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 2697, effective February 22, 1985; amended at 9 Ill. Reg. 6235, effective April 19, 1985; amended at 9 Ill. Reg. 8677, effective May 28, 1985; amended at 9 Ill. Reg. 9564, effective June 5, 1985; amended at 9 Ill. Reg. 10025, effective June 26, 1985; emergency amendment at 9 Ill. Reg. 11403, effective June 27, 1985, for a maximum of 150 days; amended at 9 Ill. Reg. 11357, effective June 28, 1985; amended at 9 Ill. Reg. 12000, effective July 24, 1985; amended at 9 Ill. Reg. 12306, effective August 5, 1985; amended at 9 Ill. Reg. 13998, effective September 3, 1985; amended at 9 Ill. Reg. 14684, effective September 13, 1985; amended at 9 Ill. Reg. 15503, effective October 4, 1985; amended at 9 Ill. Reg. 16312, effective October 11, 1985; amended at 9 Ill. Reg. 19138, effective December 2, 1985; amended at 9 Ill. Reg. 19737, effective December 9, 1985; amended at 10 Ill. Reg. 238, effective December 27, 1985; emergency amendment at 10 Ill. Reg. 798, effective January 1, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 672, effective January 6, 1986; amended at 10 Ill. Reg. 1206, effective January 13, 1986; amended at 10 Ill. Reg. 3041, effective January 24, 1986; amended at 10 Ill. Reg. 6981, effective April 16, 1986; amended at 10 Ill. Reg. 7825, effective April 30, 1986; amended at 10 Ill. Reg. 8128, effective May 7, 1986; emergency amendment at 10 Ill. Reg. 8912, effective May 13, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 11440, effective June 20, 1986; amended at 10 Ill. Reg. 14714, effective August 27, 1986; amended at 10 Ill. Reg. 15211, effective September 12, 1986; emergency amendment at 10 Ill. Reg. 16729, effective September 18, 1986, for a maximum of 150 days; amended at 10 Ill. Reg. 18808, effective October 24, 1986; amended at 10 Ill. Reg. 19742, effective November 12, 1986; amended at 10 Ill. Reg. 21784, effective December 15, 1986; amended at 11 Ill. Reg. 698, effective December 19, 1986; amended at 11 Ill. Reg. 1418, effective December 31, 1986; amended at 11 Ill. Reg. 2323, effective January 16, 1987; amended at 11 Ill. Reg. 4002, effective February 25, 1987; Section 140.71 recodified to 89 Ill. Adm. Code 141 at 11 Ill. Reg. 4302; amended at 11 Ill. Reg. 4303, effective March 6, 1987; amended at 11 Ill. Reg. 7664, effective

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

April 15, 1987; emergency amendment at 11 Ill. Reg. 9342, effective April 20, 1987, for a maximum of 150 days; amended at 11 Ill. Reg. 9169, effective April 28, 1987; amended at 11 Ill. Reg. 10903, effective June 1, 1987; amended at 11 Ill. Reg. 11528, effective June 22, 1987; amended at 11 Ill. Reg. 12011, effective June 30, 1987; amended at 11 Ill. Reg. 12290, effective July 6, 1987; amended at 11 Ill. Reg. 14048, effective August 14, 1987; amended at 11 Ill. Reg. 14771, effective August 25, 1987; amended at 11 Ill. Reg. 16758, effective September 28, 1987; amended at 11 Ill. Reg. 17295, effective September 30, 1987; amended at 11 Ill. Reg. 18696, effective October 27, 1987; amended at 11 Ill. Reg. 20909, effective December 14, 1987; amended at 12 Ill. Reg. 916, effective January 1, 1988; emergency amendment at 12 Ill. Reg. 1960, effective January 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 5427, effective March 15, 1988; amended at 12 Ill. Reg. 6246, effective March 16, 1988; amended at 12 Ill. Reg. 6728, effective March 22, 1988; Sections 140.900 thru 140.912 and 140.Table H and 140.Table I recodified to 89 Ill. Adm. Code 147.5 thru 147.205 and 147.Table A and 147.Table B at 12 Ill. Reg. 6956; amended at 12 Ill. Reg. 6927, effective April 5, 1988; Sections 140.940 thru 140.972 recodified to 89 Ill. Adm. Code 149.5 thru 149.325 at 12 Ill. Reg. 7401; amended at 12 Ill. Reg. 7695, effective April 21, 1988; amended at 12 Ill. Reg. 10497, effective June 3, 1988; amended at 12 Ill. Reg. 10717, effective June 14, 1988; emergency amendment at 12 Ill. Reg. 11868, effective July 1, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 12509, effective July 15, 1988; amended at 12 Ill. Reg. 14271, effective August 29, 1988; emergency amendment at 12 Ill. Reg. 16921, effective September 28, 1988, for a maximum of 150 days; amended at 12 Ill. Reg. 16738, effective October 5, 1988; amended at 12 Ill. Reg. 17879, effective October 24, 1988; amended at 12 Ill. Reg. 18198, effective November 4, 1988; amended at 12 Ill. Reg. 19396, effective November 6, 1988; amended at 12 Ill. Reg. 19734, effective November 15, 1988; amended at 13 Ill. Reg. 125, effective January 1, 1989; amended at 13 Ill. Reg. 2475, effective February 14, 1989; amended at 13 Ill. Reg. 3069, effective February 28, 1989; amended at 13 Ill. Reg. 3351, effective March 6, 1989; amended at 13 Ill. Reg. 3917, effective March 17, 1989; amended at 13 Ill. Reg. 5115, effective April 3, 1989; amended at 13 Ill. Reg. 5718, effective April 10, 1989; amended at 13 Ill. Reg. 7025, effective April 24, 1989; Sections 140.850 thru 140.896 recodified to 89 Ill. Adm. Code 146.5 thru 146.225 at 13 Ill. Reg. 7040; amended at 13 Ill. Reg. 7786, effective May 20, 1989; Sections 140.94 thru 140.398 recodified to 89 Ill. Adm. Code 148.10 thru 148.390 at 13 Ill. Reg. 9572; emergency amendment at 13 Ill. Reg. 10977, effective July 1, 1989, for a maximum of 150 days; emergency expired November 28, 1989; amended at 13 Ill. Reg. 11516, effective July 3, 1989; amended at 13 Ill. Reg. 12119, effective July 7, 1989; Section 140.110 recodified to 89 Ill. Adm. Code 148.120 at 13 Ill. Reg. 12118; amended at 13 Ill. Reg. 12562, effective July 17, 1989; amended at 13 Ill. Reg. 14391, effective August 31, 1989; emergency amendment at 13 Ill. Reg. 15473, effective September 12, 1989, for a maximum of 150 days; amended at 13 Ill. Reg. 16992, effective October 16, 1989; amended at 14 Ill. Reg. 190, effective December 21, 1989; amended at 14 Ill. Reg. 2564, effective February 9, 1990; emergency amendment at 14 Ill. Reg.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

3241, effective February 14, 1990, for a maximum of 150 days; emergency expired July 14, 1990; amended at 14 Ill. Reg. 4543, effective March 12, 1990; emergency amendment at 14 Ill. Reg. 4577, effective March 6, 1990, for a maximum of 150 days; emergency expired August 3, 1990; emergency amendment at 14 Ill. Reg. 5575, effective April 1, 1990, for a maximum of 150 days; emergency expired August 29, 1990; emergency amendment at 14 Ill. Reg. 5865, effective April 3, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 7141, effective April 27, 1990; emergency amendment at 14 Ill. Reg. 7249, effective April 27, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 10062, effective June 12, 1990; amended at 14 Ill. Reg. 10409, effective June 19, 1990; emergency amendment at 14 Ill. Reg. 12082, effective July 5, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 13262, effective August 6, 1990; emergency amendment at 14 Ill. Reg. 14184, effective August 16, 1990, for a maximum of 150 days; emergency amendment at 14 Ill. Reg. 14570, effective August 22, 1990, for a maximum of 150 days; amended at 14 Ill. Reg. 14826, effective August 31, 1990; amended at 14 Ill. Reg. 15366, effective September 12, 1990; amended at 14 Ill. Reg. 15981, effective September 21, 1990; amended at 14 Ill. Reg. 17279, effective October 12, 1990; amended at 14 Ill. Reg. 18057, effective October 22, 1990; amended at 14 Ill. Reg. 18508, effective October 30, 1990; amended at 14 Ill. Reg. 18813, effective November 6, 1990; Notice of Corrections to Adopted Amendment at 15 Ill. Reg. 1174; amended at 14 Ill. Reg. 20478, effective December 7, 1990; amended at 14 Ill. Reg. 20729, effective December 12, 1990; amended at 15 Ill. Reg. 298, effective December 28, 1990; emergency amendment at 15 Ill. Reg. 592, effective January 1, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 1051, effective January 18, 1991; amended at 15 Ill. Reg. 6220, effective April 18, 1991; amended at 15 Ill. Reg. 6534, effective April 30, 1991; amended at 15 Ill. Reg. 8264, effective May 23, 1991; amended at 15 Ill. Reg. 8972, effective June 17, 1991; amended at 15 Ill. Reg. 10114, effective June 21, 1991; amended at 15 Ill. Reg. 10468, effective July 1, 1991; amended at 15 Ill. Reg. 11176, effective August 1, 1991; emergency amendment at 15 Ill. Reg. 11515, effective July 25, 1991, for a maximum of 150 days; emergency expired December 22, 1991; emergency amendment at 15 Ill. Reg. 12919, effective August 15, 1991, for a maximum of 150 days; emergency expired January 12, 1992; emergency amendment at 15 Ill. Reg. 16366, effective October 22, 1991, for a maximum of 150 days; amended at 15 Ill. Reg. 17318, effective November 18, 1991; amended at 15 Ill. Reg. 17733, effective November 22, 1991; emergency amendment at 16 Ill. Reg. 300, effective December 20, 1991, for a maximum of 150 days; amended at 16 Ill. Reg. 174, effective December 24, 1991; amended at 16 Ill. Reg. 1877, effective January 24, 1992; amended at 16 Ill. Reg. 3552, effective February 28, 1992; amended at 16 Ill. Reg. 4006, effective March 6, 1992; amended at 16 Ill. Reg. 6408, effective March 20, 1992; expedited correction at 16 Ill. Reg. 11348, effective March 20, 1992; amended at 16 Ill. Reg. 6849, effective April 7, 1992; amended at 16 Ill. Reg. 7017, effective April 17, 1992; amended at 16 Ill. Reg. 10050, effective June 5, 1992; amended at 16 Ill. Reg. 11174, effective June 26, 1992; emergency amendment at 16 Ill. Reg. 11947, effective July 10, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 12186,

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

effective July 24, 1992; emergency amendment at 16 Ill. Reg. 13337, effective August 14, 1992, for a maximum of 150 days; emergency amendment at 16 Ill. Reg. 15109, effective September 21, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 15561, effective September 30, 1992; amended at 16 Ill. Reg. 17302, effective November 2, 1992; emergency amendment at 16 Ill. Reg. 18097, effective November 17, 1992, for a maximum of 150 days; amended at 16 Ill. Reg. 19146, effective December 1, 1992; expedited correction at 17 Ill. Reg. 7078, effective December 1, 1992; amended at 16 Ill. Reg. 19879, effective December 7, 1992; amended at 17 Ill. Reg. 837, effective January 11, 1993; amended at 17 Ill. Reg. 1112, effective January 15, 1993; amended at 17 Ill. Reg. 2290, effective February 15, 1993; amended at 17 Ill. Reg. 2951, effective February 17, 1993; amended at 17 Ill. Reg. 3421, effective February 19, 1993; amended at 17 Ill. Reg. 6196, effective April 5, 1993; amended at 17 Ill. Reg. 6839, effective April 21, 1993; amended at 17 Ill. Reg. 7004, effective May 17, 1993; emergency amendment at 17 Ill. Reg. 11201, effective July 1, 1993, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 15162, effective September 2, 1993, for a maximum of 150 days; emergency amendment suspended at 17 Ill. Reg. 18902, effective October 12, 1993; emergency amendment at 17 Ill. Reg. 18152, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 18571, effective October 8, 1993; emergency amendment at 17 Ill. Reg. 18611, effective October 1, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 20999, effective November 24, 1993; emergency amendment repealed at 17 Ill. Reg. 22583, effective December 20, 1993; amended at 18 Ill. Reg. 3620, effective February 28, 1994; amended at 18 Ill. Reg. 4250, effective March 4, 1994; amended at 18 Ill. Reg. 5951, effective April 1, 1994; emergency amendment at 18 Ill. Reg. 10922, effective July 1, 1994, for a maximum of 150 days; emergency amendment suspended at 18 Ill. Reg. 17286, effective November 15, 1994; emergency amendment repealed at 19 Ill. Reg. 5839, effective April 4, 1995; amended at 18 Ill. Reg. 11244, effective July 1, 1994; amended at 18 Ill. Reg. 14126, effective August 29, 1994; amended at 18 Ill. Reg. 16675, effective November 1, 1994; amended at 18 Ill. Reg. 18059, effective December 19, 1994; amended at 19 Ill. Reg. 1082, effective January 20, 1995; amended at 19 Ill. Reg. 2933, effective March 1, 1995; emergency amendment at 19 Ill. Reg. 3529, effective March 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 5663, effective April 1, 1995; amended at 19 Ill. Reg. 7919, effective June 5, 1995; emergency amendment at 19 Ill. Reg. 8455, effective June 9, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 9297, effective July 1, 1995, for a maximum of 150 days; emergency amendment at 19 Ill. Reg. 10252, effective July 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 13019, effective September 5, 1995; amended at 19 Ill. Reg. 14440, effective September 29, 1995; emergency amendment at 19 Ill. Reg. 14833, effective October 6, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 15441, effective October 26, 1995; amended at 19 Ill. Reg. 15692, effective November 6, 1995; amended at 19 Ill. Reg. 16677, effective November 28, 1995; amended at 20 Ill. Reg. 1210, effective December 29, 1995; amended at 20 Ill. Reg. 4345, effective March 4, 1996; amended at 20 Ill. Reg. 5858, effective April 5, 1996; amended at 20

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

Ill. Reg. 6929, effective May 6, 1996; amended at 20 Ill. Reg. 7922, effective May 31, 1996; amended at 20 Ill. Reg. 9081, effective June 28, 1996; emergency amendment at 20 Ill. Reg. 9312, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 11332, effective August 1, 1996; amended at 20 Ill. Reg. 14845, effective October 31, 1996; emergency amendment at 21 Ill. Reg. 705, effective December 31, 1996, for a maximum of 150 days; emergency amendment at 21 Ill. Reg. 3734, effective March 5, 1997, for a maximum of 150 days; amended at 21 Ill. Reg. 4777, effective April 2, 1997; amended at 21 Ill. Reg. 6899, effective May 23, 1997; amended at 21 Ill. Reg. 9763, effective July 15, 1997; amended at 21 Ill. Reg. 11569, effective August 1, 1997; emergency amendment at 21 Ill. Reg. 13857, effective October 1, 1997, for a maximum of 150 days; amended at 22 Ill. Reg. 1416, effective December 29, 1997; amended at 22 Ill. Reg. 4412, effective February 27, 1998; amended at 22 Ill. Reg. 7024, effective April 1, 1998; amended at 22 Ill. Reg. 10606, effective June 1, 1998; emergency amendment at 22 Ill. Reg. 13117, effective July 1, 1998, for a maximum of 150 days; amended at 22 Ill. Reg. 16302, effective August 28, 1998; amended at 22 Ill. Reg. 18979, effective September 30, 1998; amended at 22 Ill. Reg. 19898, effective October 30, 1998; emergency amendment at 22 Ill. Reg. 22108, effective December 1, 1998, for a maximum of 150 days; emergency expired April 29, 1999; amended at 23 Ill. Reg. 5796, effective April 30, 1999; amended at 23 Ill. Reg. 7122, effective June 1, 1999; emergency amendment at 23 Ill. Reg. 8236, effective July 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 9874, effective August 3, 1999; amended at 23 Ill. Reg. 12697, effective October 1, 1999; amended at 23 Ill. Reg. 13646, effective November 1, 1999; amended at 23 Ill. Reg. 14567, effective December 1, 1999; amended at 24 Ill. Reg. 661, effective January 3, 2000; amended at 24 Ill. Reg. 10277, effective July 1, 2000; emergency amendment at 24 Ill. Reg. 10436, effective July 1, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 15086, effective October 1, 2000; amended at 24 Ill. Reg. 18320, effective December 1, 2000; emergency amendment at 24 Ill. Reg. 19344, effective December 15, 2000, for a maximum of 150 days; amended at 25 Ill. Reg. 3897, effective March 1, 2001; amended at 25 Ill. Reg. 6665, effective May 11, 2001; amended at 25 Ill. Reg. 8793, effective July 1, 2001; emergency amendment at 25 Ill. Reg. 8850, effective July 1, 2001, for a maximum of 150 days; amended at 25 Ill. Reg. 11880, effective September 1, 2001; amended at 25 Ill. Reg. 12820, effective October 8, 2001; amended at 25 Ill. Reg. 14957, effective November 1, 2001; emergency amendment at 25 Ill. Reg. 16127, effective November 28, 2001, for a maximum of 150 days; emergency amendment at 25 Ill. Reg. 16292, effective December 3, 2001, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 514, effective January 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 663, effective January 7, 2002; amended at 26 Ill. Reg. 4781, effective March 15, 2002; emergency amendment at 26 Ill. Reg. 5984, effective April 15, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 7285, effective April 29, 2002; emergency amendment at 26 Ill. Reg. 8594, effective June 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 11259, effective July 1, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 12461, effective July

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

29, 2002, for a maximum of 150 days; emergency amendment repealed at 26 Ill. Reg. 16593, effective October 22, 2002; emergency amendment at 26 Ill. Reg. 12772, effective August 12, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 13641, effective September 3, 2002; amended at 26 Ill. Reg. 14789, effective September 26, 2002; emergency amendment at 26 Ill. Reg. 15076, effective October 1, 2002, for a maximum of 150 days; amended at 26 Ill. Reg. 16303, effective October 25, 2002; amended at 26 Ill. Reg. 17751, effective November 27, 2002; amended at 27 Ill. Reg. 768, effective January 3, 2003; amended at 27 Ill. Reg. 3041, effective February 10, 2003; amended at 27 Ill. Reg. 4364, effective February 24, 2003; amended at 27 Ill. Reg. 7823, effective May 1, 2003; amended at 27 Ill. Reg. 9157, effective June 2, 2003; emergency amendment at 27 Ill. Reg. 10813, effective July 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 13784, effective August 1, 2003; amended at 27 Ill. Reg. 14799, effective September 5, 2003; emergency amendment at 27 Ill. Reg. 15584, effective September 20, 2003, for a maximum of 150 days; emergency amendment at 27 Ill. Reg. 16161, effective October 1, 2003, for a maximum of 150 days; amended at 27 Ill. Reg. 18629, effective November 26, 2003; amended at 28 Ill. Reg. 2744, effective February 1, 2004; amended at 28 Ill. Reg. 4958, effective March 3, 2004; emergency amendment at 28 Ill. Reg. 6622, effective April 19, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 7081, effective May 3, 2004; emergency amendment at 28 Ill. Reg. 8108, effective June 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 9640, effective July 1, 2004; emergency amendment at 28 Ill. Reg. 10135, effective July 1, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 11161, effective August 1, 2004; emergency amendment at 28 Ill. Reg. 12198, effective August 11, 2004, for a maximum of 150 days; amended at 28 Ill. Reg. 13775, effective October 1, 2004; amended at 28 Ill. Reg. 14804, effective October 27, 2004; amended at 28 Ill. Reg. 15513, effective November 24, 2004; amended at 29 Ill. Reg. 831, effective January 1, 2005; amended at 29 Ill. Reg. 6945, effective May 1, 2005; emergency amendment at 29 Ill. Reg. 8509, effective June 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 12534, effective August 1, 2005, for a maximum of 150 days; amended at 29 Ill. Reg. 14957, effective September 30, 2005; emergency amendment at 29 Ill. Reg. 15064, effective October 1, 2005, for a maximum of 150 days; emergency amendment repealed by emergency rulemaking at 29 Ill. Reg. 15985, effective October 5, 2005, for the remainder of the 150 days; emergency amendment at 29 Ill. Reg. 15610, effective October 1, 2005, for a maximum of 150 days; emergency amendment at 29 Ill. Reg. 16515, effective October 5, 2005, for a maximum of 150 days; amended at 30 Ill. Reg. 349, effective December 28, 2005; emergency amendment at 30 Ill. Reg. 573, effective January 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 796, effective January 1, 2006; amended at 30 Ill. Reg. 2802, effective February 24, 2006; amended at 30 Ill. Reg. 10370, effective May 26, 2006; emergency amendment at 30 Ill. Reg. 12376, effective July 1, 2006, for a maximum of 150 days; emergency amendment at 30 Ill. Reg. 13909, effective August 2, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 14280, effective August 18, 2006; expedited correction at 31 Ill. Reg. 1745, effective August 18, 2006;

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

emergency amendment at 30 Ill. Reg. 17970, effective November 1, 2006, for a maximum of 150 days; amended at 30 Ill. Reg. 18648, effective November 27, 2006; emergency amendment at 30 Ill. Reg. 19400, effective December 1, 2006, for a maximum of 150 days; amended at 31 Ill. Reg. 388, effective December 29, 2006; emergency amendment at 31 Ill. Reg. 1580, effective January 1, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 2413, effective January 19, 2007; amended at 31 Ill. Reg. 5561, effective March 30, 2007; amended at 31 Ill. Reg. 6930, effective April 29, 2007; amended at 31 Ill. Reg. 8485, effective May 30, 2007; emergency amendment at 31 Ill. Reg. 10115, effective June 30, 2007, for a maximum of 150 days; amended at 31 Ill. Reg. 14749, effective October 22, 2007; emergency amendment at 32 Ill. Reg. 383, effective January 1, 2008, for a maximum of 150 days; peremptory amendment at 32 Ill. Reg. 6743, effective April 1, 2008; peremptory amendment suspended at 32 Ill. Reg. 8449, effective May 21, 2008; suspension withdrawn by the Joint Committee on Administrative Rules at 32 Ill. Reg. 18323, effective November 12, 2008; peremptory amendment repealed by emergency rulemaking at 32 Ill. Reg. 18422, effective November 12, 2008, for a maximum of 150 days; emergency expired April 10, 2009; peremptory amendment repealed at 33 Ill. Reg. 6667, effective April 29, 2009; amended at 32 Ill. Reg. 7727, effective May 5, 2008; emergency amendment at 32 Ill. Reg. 10480, effective July 1, 2008, for a maximum of 150 days; emergency expired November 27, 2008; amended at 32 Ill. Reg. 17133, effective October 15, 2008; amended at 33 Ill. Reg. 209, effective December 29, 2008; amended at 33 Ill. Reg. 9048, effective June 15, 2009; emergency amendment at 33 Ill. Reg. 10800, effective June 30, 2009, for a maximum of 150 days; amended at 33 Ill. Reg. 11287, effective July 14, 2009; amended at 33 Ill. Reg. 11938, effective August 17, 2009; amended at 33 Ill. Reg. 12227, effective October 1, 2009; emergency amendment at 33 Ill. Reg. 14324, effective October 1, 2009, for a maximum of 150 days; emergency expired February 27, 2010; amended at 33 Ill. Reg. 16573, effective November 16, 2009; amended at 34 Ill. Reg. 516, effective January 1, 2010; amended at 34 Ill. Reg. 903, effective January 29, 2010; amended at 34 Ill. Reg. 3761, effective March 14, 2010; amended at 34 Ill. Reg. 5215, effective March 25, 2010; amended at 34 Ill. Reg. 19517, effective December 6, 2010; amended at 35 Ill. Reg. 394, effective December 27, 2010; amended at 35 Ill. Reg. 7648, effective May 1, 2011; amended at 35 Ill. Reg. 7962, effective May 1, 2011; amended at 35 Ill. Reg. 10000, effective June 15, 2011; amended at 35 Ill. Reg. 12909, effective July 25, 2011; amended at 36 Ill. Reg. 2271, effective February 1, 2012; amended at 36 Ill. Reg. 7010, effective April 27, 2012; amended at 36 Ill. Reg. 7545, effective May 7, 2012; amended at 36 Ill. Reg. 9113, effective June 11, 2012; emergency amendment at 36 Ill. Reg. 11329, effective July 1, 2012 through June 30, 2013; emergency amendment to Section 140.442(e)(4) suspended at 36 Ill. Reg. 13736, effective August 15, 2012; suspension withdrawn from Section 140.442(e)(4) at 36 Ill. Reg. 14529, September 11, 2012; emergency amendment in response to Joint Committee on Administrative Rules action on Section 140.442(e)(4) at 36 Ill. Reg. 14820, effective September 21, 2012 through June 30, 2013; emergency amendment to Section 140.491 suspended at 36 Ill. Reg. 13738, effective August 15, 2012; suspension withdrawn by the Joint

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

Committee on Administrative Rules from Section 140.491 at 37 Ill. Reg. 890, January 8, 2013; emergency amendment in response to Joint Committee on Administrative Rules action on Section 140.491 at 37 Ill. Reg. 1330, effective January 15, 2013 through June 30, 2013; amended at 36 Ill. Reg. 15361, effective October 15, 2012; emergency amendment at 37 Ill. Reg. 253, effective January 1, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 846, effective January 9, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 1774, effective January 28, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 2348, effective February 1, 2013 through June 30, 2013; amended at 37 Ill. Reg. 3831, effective March 13, 2013; emergency amendment at 37 Ill. Reg. 5058, effective April 1, 2013 through June 30, 2013; emergency amendment at 37 Ill. Reg. 5170, effective April 8, 2013 through June 30, 2013; amended at 37 Ill. Reg. 6196, effective April 29, 2013; amended at 37 Ill. Reg. 7985, effective May 29, 2013; amended at 37 Ill. Reg. 10282, effective June 27, 2013; amended at 37 Ill. Reg. 12855, effective July 24, 2013; emergency amendment at 37 Ill. Reg. 14196, effective August 20, 2013, for a maximum of 150 days; amended at 37 Ill. Reg. 17584, effective October 23, 2013; amended at 37 Ill. Reg. 18275, effective November 4, 2013; amended at 37 Ill. Reg. 20339, effective December 9, 2013; amended at 38 Ill. Reg. 859, effective December 23, 2013; emergency amendment at 38 Ill. Reg. 1174, effective January 1, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 4330, effective January 29, 2014; amended at 38 Ill. Reg. 7156, effective March 13, 2014; amended at 38 Ill. Reg. 12141, effective May 30, 2014; amended at 38 Ill. Reg. 15081, effective July 2, 2014; emergency amendment at 38 Ill. Reg. 15673, effective July 7, 2014, for a maximum of 150 days; emergency amendment at 38 Ill. Reg. 18216, effective August 18, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 18462, effective August 19, 2014; amended at 38 Ill. Reg. 23623, effective December 2, 2014; amended at 39 Ill. Reg. 4394, effective March 11, 2015; emergency amendment at 39 Ill. Reg. 6903, effective May 1, 2015 through June 30, 2015; emergency amendment at 39 Ill. Reg. 8137, effective May 20, 2015, for a maximum of 150 days; emergency amendment at 39 Ill. Reg. 10427, effective July 10, 2015, for a maximum of 150 days; emergency expired December 6, 2015; amended at 39 Ill. Reg. 12825, effective September 4, 2015; amended at 39 Ill. Reg. 13380, effective September 25, 2015; amended at 39 Ill. Reg. 14138, effective October 14, 2015; emergency amendment at 40 Ill. Reg. 13677, effective September 16, 2016, for a maximum of 150 days; emergency expired February 12, 2017; amended at 41 Ill. Reg. 999, effective January 19, 2017; amended at 41 Ill. Reg. 3296, effective March 8, 2017; amended at 41 Ill. Reg. 7526, effective June 15, 2017; amended at 41 Ill. Reg. 10950, effective August 9, 2017; amended at 42 Ill. Reg. 4829, effective March 1, 2018; amended at 42 Ill. Reg. 12986, effective June 25, 2018; emergency amendment at 42 Ill. Reg. 13688, effective July 2, 2018, for a maximum of 150 days; emergency amendment to emergency rule at 42 Ill. Reg. 16265, effective August 13, 2018, for the remainder of the 150 days; amended at 42 Ill. Reg. 14383, effective July 23, 2018; amended at 42 Ill. Reg. 20059, effective October 26, 2018; amended at 42 Ill. Reg. 22352, effective November 28, 2018; amended at 43 Ill. Reg. 1014, effective December 31, 2018; amended at 43 Ill. Reg. 2227,

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

effective February 4, 2019; amended at 43 Ill. Reg. 4094, effective March 25, 2019; amended at 43 Ill. Reg. 5706, effective May 2, 2019; amended at 43 Ill. Reg. 6736, effective May 28, 2019; emergency amendment at 43 Ill. Reg. 12093, effective October 15, 2019, for a maximum of 150 days; amended at 44 Ill. Reg. 226, effective December 23, 2019; amended at 44 Ill. Reg. 4616, effective March 3, 2020; emergency amendment at 44 Ill. Reg. 5745, effective March 20, 2020, for a maximum of 150 days.

SUBPART D: PAYMENT FOR NON-INSTITUTIONAL SERVICES

Section 140.403 Telehealth Services**EMERGENCY**

a) Definitions

- 1) "Asynchronous Store and Forward Technology" means the transmission of a patient's medical information from an originating site to the provider at the distant site. The provider at the distant site can review the medical case without the patient being present. An asynchronous telecommunication system in single media format does not include telephone calls, images transmitted via facsimile machines and text messages without visualization of the patient (electronic mail). Photographs visualized by a telecommunication system must be specific to the patient's medical condition and adequate for furnishing or confirming a diagnosis and/or treatment plan. Dermatological photographs (for example, a photograph of a skin lesion) may be considered to meet the requirement of a single media format under this provision.
- 2) "Distant Site" means the location at which the provider rendering the service is located.
- 3) "Encounter Clinic" means a Federally Qualified Health Center, Rural Health Clinic or Encounter Rate Clinic, as defined in 89 Ill. Adm. Code 140.461.
- 4) "Facility Fee" means the reimbursement made to the following originating sites for the telehealth service: physician's office, podiatrist's office, local health departments, community mental health centers, licensed hospital outpatient departments as defined in 89 Ill. Adm. Code 148.25(d) and

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

substance abuse treatment centers licensed by the Department of Human Services-Division of Alcoholism and Substance Abuse (DASA).

- 5) "Interactive Telecommunication System" means multimedia communications equipment that includes, at a minimum, audio and video equipment permitting two-way, real-time interactive communication between the patient and the distant site provider. Telephones, facsimile machines, and electronic mail systems do not meet the definition of an interactive telecommunication system.
 - 6) "Originating Site" means the location at which the participant receiving the service is located.
 - 7) "Telecommunication System" means an asynchronous store and forward technology and/or an interactive telecommunication system that is used to transmit data between the originating and distant sites.
 - 8) "Telehealth" means services provided via a telecommunication system.
 - 9) "Telemedicine" means the use of a telecommunication system to provide medical services for the purpose of evaluation and treatment when the patient is at one medical provider location and the rendering provider is at another location.
 - 10) "Telepsychiatry" means the use of a telecommunication system to provide psychiatric services for the purpose of evaluation and treatment when the patient is at one medical provider location and the rendering provider is at another location.
- b) Requirements for Telehealth Services
- 1) Telemedicine
 - A) A physician or other licensed health care professional must be present at all times with the patient at the originating site.
 - B) The distant site provider must be a physician, physician assistant, podiatrist or advanced practice nurse who is licensed by the State of Illinois or by the state where the patient is located.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- C) The originating and distant site provider must not be terminated, suspended or barred from the Department's medical programs.
 - D) Medical data may be exchanged through a telecommunication system.
 - E) The interactive telecommunication system must, at a minimum, have the capability of allowing the consulting distant site provider to examine the patient sufficiently to allow proper diagnosis of the involved body system. The system must also be capable of transmitting clearly audible heart tones and lung sounds, as well as clear video images of the patient and any diagnostic tools, such as radiographs.
- 2) Telepsychiatry
- A) A physician, licensed health care professional or other licensed clinician, mental health professional (MHP), or qualified mental health professional (QMHP), as defined in 59 Ill. Adm. Code 132.25, must be present at all times with the patient at the originating site.
 - B) The distant site provider must be a physician licensed by the State of Illinois or by the state where the patient is located and must have completed an accredited general psychiatry residency program or an accredited child and adolescent psychiatry residency program.
 - C) The originating and distant site provider must not be terminated, suspended or barred from the Department's medical programs.
 - D) The distant site provider must personally render the telepsychiatry service.
 - E) Telepsychiatry services must be rendered using an interactive telecommunication system.
 - F) Group psychotherapy is not a covered telepsychiatry service.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- c) Reimbursement for Telehealth Services
 - 1) Originating Site Reimbursement
 - A) A facility fee shall be paid to providers as defined in subsection (a)(4) of this Section.
 - B) Local education agencies may submit telehealth services as a certified expenditure.
 - C) Providers who receive reimbursement for a patient's room and board are not eligible for reimbursement as an originating site.
 - D) Clinics reimbursed under the prospective payment system shall be eligible for a medical encounter as set forth in subsection (c)(3) of this Section.
 - 2) Reimbursement for Rendering Provider at the Distant Site
 - A) Participating providers shall be reimbursed for the appropriate AMA Current Procedural Terminology (CPT) code for the telehealth service rendered.
 - B) Nonparticipating providers may be reimbursed by the originating site provider, but will not be eligible for reimbursement from the Department.
 - 3) Clinic Reimbursement
 - A) An encounter clinic serving as the originating site shall be reimbursed for its medical encounter as defined in Section 140.462. The clinic is responsible for reimbursement to the distant site provider.
 - B) An encounter clinic serving as the distant site shall be reimbursed as follows:

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- i) If the originating site is another encounter clinic, the distant site encounter clinic shall receive no reimbursement from the Department. The originating site encounter clinic is responsible for reimbursement to the distant site encounter clinic; and
 - ii) If the originating site is not an encounter clinic, the distant site encounter clinic shall be reimbursed for its medical encounter. The originating site provider will receive a facility fee as defined in subsection (a)(4) of this Section.
- d) Record Requirements for Telehealth Services
 - 1) Medical records documenting the telehealth services provided must be maintained by the originating and distant sites and shall include, but not be limited to, the following:
 - A) The records required in Section 140.28;
 - B) The name and license number of the licensed health care professional or other licensed clinician present with the patient at the originating site;
 - C) The name and license number of the provider at the distant site and, if the service involves telepsychiatry, documentation that the physician has completed an approved general psychiatry residency program or an approved child and adolescent psychiatry residency program;
 - D) The locations of the originating and distant sites;
 - E) The date and the beginning and ending times of the telehealth service; and
 - F) The medical necessity for the telehealth service.
 - 2) When the originating site is an encounter clinic, records from the distant site must also be maintained.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 3) Appropriate steps must be taken by the originating and distant site staff to assure patient confidentiality, based on technical advances in compliance with all federal and state privacy and confidentiality laws.
 - 4) The type of interactive telecommunication system utilized at the originating and distant sites shall be documented.
 - 5) The billing records related to the use of the telecommunication system shall be maintained as provided in Section 140.28.
- e) Telehealth requirements during the COVID-19 public health emergency. Notwithstanding any other provision of this Part, and to protect the public health in connection with the present public health emergency, the Department will reimburse medically necessary and clinically appropriate telehealth services with dates of service on or after March 9, 2020 until the public health emergency no longer exists, that meet the requirements of this subsection (e).
- 1) Telehealth services are medically necessary and clinically appropriate services covered under the Medical Assistance Program as set forth in 89 Ill. Adm. Code 140.3 that are delivered using a communication or technology system as defined in subsection (e)(5) to a patient at an originating site by a provider located at a distant site. The Department will also reimburse for the following services that do not meet the definition of "telehealth services" during this public health emergency, including:
 - A) Notwithstanding the restriction on services provided via phone in Section 140.6(m) and this Section, brief communication technology-based service, e.g. virtual check-in that uses audio-only real-time telephone interactions or synchronous, two-way audio interactions that are enhanced with video or other kinds of data transmission. Virtual check-ins must be rendered by a physician, advanced practice registered nurse, or physician assistant who can report evaluation and management (E/M) services, provided to an established patient, not originating from a related E/M service provided within the previous 7 days nor leading to an E/M service or procedure within the next 24 hours or soonest available appointment. The Department will reimburse for this service at the rate established on the Department's fee schedule. Federally Qualified Health Centers, Rural Health Clinics, and Encounter

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

Rate Clinics may also receive reimbursement for this service at the rate established on the Department's fee schedule.

- B) Notwithstanding the restriction on services provided via phone in Section 140.6(m) and this Section, online patient portal or "E-visit" services are non-face-to-face patient-initiated communications using online patient portals. These services can only be reported when the billing practice has an established relationship with the patient. For these encounters, the patient must generate the initial inquiry and communications can occur over a 7-day period. The patient must verbally consent to receive virtual check-in services. The Department will reimburse for HCPCS codes G2061, G2062 and G2063 and CPT codes 99421, 99422 and 99423 at the rate established on the Department's fee schedule. Federally Qualified Health Centers, Rural Health Clinics, and Encounter Rate Clinics may also receive reimbursement for this service at the rate established on the Department's fee schedule.
- C) Notwithstanding the restriction on services provided via phone in Section 140.6(m) and this Section, the Department will reimburse for all behavioral health services (substance use disorder and mental health disorder) detailed in Section 140.453 (except for Mobile Crisis Response and Crisis Stabilization as defined in Section 140.453(d)(3)) and behavioral health services (substance use disorder and mental health disorder) contained on an applicable Department fee schedule provided using audio-only real-time telephone interactions, or video interaction in accordance with subsection (e)(5). The Department will reimburse for these services at the same rate paid for services provided on site.
- 2) The distant site provider is any enrolled provider, operating within its scope of practice, and with the appropriate license or certification.
- 3) Telehealth services are delivered to a patient that is located at an originating site. Any site that allows for the patient to use a communication or technology system as defined in subsection (e)(5) may be an originating site, including a patient's place of residence located within the State of Illinois or other temporary location within or outside the State of Illinois.

DEPARTMENT OF HEALTHCARE AND FAMILY SERVICES

NOTICE OF EMERGENCY AMENDMENT

- 4) An originating site will be eligible for a facility fee when it is a certified eligible facility or provider organization that acts as the location of the patient at the time a telehealth service is rendered, including but not limited to: substance use treatment programs licensed by the Department of Human Services' Division Substance Use Prevention and Recovery (SUPR), Supportive Living Program providers, Hospice providers, Community Integrated Living Arrangement (CILA) providers, and providers who receive reimbursement for a patient's room and board.
- 5) To be eligible for reimbursement, the telehealth service must be delivered using:
 - A) An "interactive telecommunication system" or "telecommunication system" as described in subsection (a); or
 - B) A communication system where information exchanged between the physician or other qualified health care practitioner and the patient during the course of the synchronous telehealth service is of an amount and nature that would be sufficient to meet the key components and requirements of the same service when rendered via face-to-face interaction.
- 6) Reimbursement for telehealth services will be made at the same rate paid for face-to-face services. Reimbursement for the services described in subsections (e)(1)(A) and (B) will be at the rate established on the Department's fee schedule. Reimbursement for the services described in subsection (e)(1)(C) will be made at the same rate paid for services provided on site.
- 7) The distant site provider and originating site provider eligible for a facility fee must maintain adequate documentation of the telehealth services provided in accordance with the record requirements of subsection (d).
- 8) A physician or other licensed health care professional is not required to be present at all times with the patient at the originating site.

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 5745, effective March 20, 2020, for a maximum of 150 days)

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF EMERGENCY AMENDMENTS

- 1) Heading of the Part: Six Day Week Law
- 2) Code Citation: 56 Ill. Adm. Code 220
- 3)

<u>Section Numbers:</u>	<u>Emergency Actions:</u>
220.300	Amendment
220.400	Amendment
220.500	Amendment
- 4) Statutory Authority: 820 ILCS 140
- 5) Effective Date of Emergency Rules: March 20, 2020
- 6) If this emergency amendment is to expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days or the date on which the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020 terminates, whichever occurs first.
- 7) Date Filed with the Index Department: March 20, 2020
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to COVID-19 outbreak, employers are looking for employees to work 7 days or more to keep up with customer demand.
- 10) A Complete Description of the Subjects and Issues Involved: Under 820 ILCS 140, an employer cannot force an employee to work 7 days or more without a rest. These emergency rules would provide for an employer to seek volunteers amongst their employees to work 7 days or more. The employer would need to notify the Illinois Department of Labor.
- 11) Are there any rulemakings pending this Part? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 13) Information and questions regarding this emergency amendment shall be directed to:

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF EMERGENCY AMENDMENTS

Jason Keller
900 South Spring St.
Springfield IL 62704

217/782-1706
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The full text of the Emergency Amendments begins on the next page:

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF EMERGENCY AMENDMENTS

TITLE 56: LABOR AND EMPLOYMENT
CHAPTER I: DEPARTMENT OF LABOR
SUBCHAPTER b: REGULATION OF WORKING CONDITIONSPART 220
SIX DAY WEEK LAW

SUBPART A: DEFINITIONS

Section	
220.100	Definition of the Act
220.105	Director
220.110	Year
220.115	Week
220.120	Permit
220.125	Defining the word required in the phrase "no employee shall be required to work", Section 4 of the Act, (Illinois Revised Statutes, 1977, Chapter 48, Section 8d)
220.130	Employee
220.135	Time Book
220.140	Agriculture
220.145	Emergency under Section 2 of the Act, (Illinois Revised Statutes, 1977, Chapter 48, Section 8b(2))

SUBPART B: LENGTH AND NUMBER OF PERMITS

Section	
220.200	Permits

SUBPART C: RESPONSIBILITIES OF EMPLOYERS

Section	
220.300	Written Requests requests for Permits permits
<u>EMERGENCY</u>	
220.305	Telephone requests for permits
220.310	Record of permits

SUBPART D: RESPONSIBILITIES OF THE DIRECTOR

Section

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF EMERGENCY AMENDMENTS

220.400 Notice to the ~~Employer~~
EMERGENCY

SUBPART E: TIMELINE OF EMPLOYER REQUESTS

Section
220.500 Written ~~Request~~
EMERGENCY request for ~~Permits~~
220.505 Telephonic requests

SUBPART F: CANCELLATION OF PERMIT

Section
220.600 Procedure

SUBPART G: POSTING OF SCHEDULES

Section
220.700 Deadline for posting

SUBPART H: MEAL PERIOD

Section
220.800 Employees working in excess of 7½ hours continuously

SUBPART I: VIOLATIONS: AN EMPLOYER SHALL BE CITED FOR
VIOLATIONS OF THE ACT AS FOLLOWS:

Section
220.900 Failure to provide the required day of rest
220.905 Meal Period
220.910 Posting of Schedule
220.915 Non-voluntary work
220.920 Time Records
220.925 Permits
220.930 Inspection of permits

SUBPART J: APPLICABILITY OF THE
ILLINOIS ADMINISTRATIVE PROCEDURE ACT

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF EMERGENCY AMENDMENTS

Section
220.1000 Denial, suspension or revocation of permits

SUBPART K: HEARING PROCESS

Section
220.1100 Procedure and timetable

AUTHORITY: Implementing and authorized by the One Day Rest In Seven Act [820 ILCS 140].

SOURCE: Adopted at 2 Ill. Reg. 6, p. 38, effective January 31, 1979; codified at 8 Ill. Reg. 18478; emergency amendment at 44 Ill. Reg. 5775, effective March 20, 2020, for a maximum of 150 days.

SUBPART C: RESPONSIBILITIES OF EMPLOYERS

Section 220.300 Written Requests~~requests~~ for Permits~~permits~~
EMERGENCY

- a) An employer desiring a licensing shall submit to the Director in written form a request for each permit, unless the licensing is attributable to Coronavirus Disease 2019 (COVID-19). ~~The~~Such request shall contain the following:
- 1a) A statement that all employees involved are in fact volunteers.
 - 2b) The anticipated number and skills of thosesaid employees.
 - 3e) Number of days covered by the permit, including inclusive dates and hourly times starting on Sunday.
 - 4d) A statement that no person possessing skills in subsection (b)-~~above~~ is laid off.
- b) An employer desiring a licensing attributable to COVID-19 shall submit to the Director in written form a request for a permit that shall contain the following:

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF EMERGENCY AMENDMENTS

- 1) A statement that the employer will only utilize employees that are in fact volunteers.
- 2) The anticipated number of those employees.
- 3) Each location where the work will be performed.
- 4) The duration of the permit.
- 5) A statement describing how the need is attributable to COVID-19.

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 5775, effective March 20, 2020, for a maximum of 150 days)

SUBPART D: RESPONSIBILITIES OF THE DIRECTOR

**Section 220.400 Notice to the Employer~~employer~~
EMERGENCY**

The Director shall, upon granting a permit, forward to the employer a written confirmation of ~~the~~~~such~~ permit containing the information in Section 220.300(a)(3). If the permit sought is attributable to COVID-19 under Section 220.300(b), the permit shall be deemed granted if the employer is not contacted by the Department within 2 business days after submitting the written request.~~(c)~~

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 5775, effective March 20, 2020, for a maximum of 150 days)

SUBPART E: TIMELINESS OF EMPLOYER REQUESTS

**Section 220.500 Written Request~~request~~ for Permits~~permits~~
EMERGENCY**

A letter requesting a ~~permits~~~~same~~ must be received by the Director not later than the Friday preceding the first effective day of the permit, unless the employer seeking the employment of persons on days of rest designated pursuant to Section 4 of the One Day Rest In Seven Act [820 ILCS 140] is seeking the authorization attributable to COVID-19. If such a need exists, the employer shall submit as soon possible a letter requesting authorization as required by Section 220.300(b).

ILLINOIS DEPARTMENT OF LABOR

NOTICE OF EMERGENCY AMENDMENTS

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 5775, effective March 20, 2020, for a maximum of 150 days)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Statements of Economic Interests
- 2) Code Citation: 2 Ill. Adm. Code 565
- 3) Section Number: 565.40 Emergency Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Section 4A-105 of the Illinois Governmental Ethics Act [5 ILCS 420/4A-105].
- 5) Effective Date of Emergency Rule: March 20, 2020
- 6) If this emergency amendment will expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days or the date on which the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020 terminates, whichever occurs first.
- 7) Date Filed with the Index Department: March 20, 2020
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to the COVID-19 virus and the recommendations of the health and safety experts, all Secretary of State Offices will be closed effective Tuesday, March 17, 2020.
- 10) A Complete Description of the Subject and Issues Involved: Pursuant to this emergency rulemaking, the provisions of Article 4A of the Illinois Governmental Ethics Act, 5 ILCS 420/4A, and Section IV of Executive Order 2015-09, providing for the filing of statements of economic interests, are suspended during the duration of the Gubernatorial Disaster Proclamation and for thirty days following its termination.
- 11) Are there any rulemakings pending on this Part? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 13) Information and questions regarding this emergency rule shall be directed to:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

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Senior Legal Advisor
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The full text of the Emergency Amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

TITLE 2: GOVERNMENTAL ORGANIZATION
SUBTITLE C: CONSTITUTIONAL OFFICERS
CHAPTER III: SECRETARY OF STATEPART 565
STATEMENTS OF ECONOMIC INTERESTS

Section

565.20	Purpose
565.30	Definitions
565.35	Disclosure of Interest in State Contracts by Appointees
565.40	Requests For Extensions
<u>EMERGENCY</u>	
565.50	Reasons For Which Extensions Will Be Granted
565.60	Reasons For Which Extensions Will Not Be Granted
565.70	Failure to File Upon Receipt of Extension

565.APPENDIX A Disclosure of Appointee Interest in State Contracts

AUTHORITY: Implementing and authorized by Section 4A-105 of the Illinois Governmental Ethics Act [5 ILCS 420/4A-105].

SOURCE: Adopted at 20 Ill. Reg. 12485, effective September 1, 1996; amended at 29 Ill. Reg. 8908, effective June 10, 2005; emergency amendment at 44 Ill. Reg. 5782, effective March 20, 2020, for a maximum of 150 days.

Section 565.40 Requests For Extensions**EMERGENCY**

- a) All requests for extensions shall be submitted in writing to the Secretary of State Index Department at 111 E. Monroe Street, Springfield, Illinois 62756. Requests shall include any documentation in support of the filer's reason, including, but not limited to, a physician's note or a receipt of mailing.
- b) Pursuant to Gubernatorial Disaster Declaration No. 2020-038 issued on March 9, 2020, and Executive Order No. 2020-08 issued March 17, 2020, the provisions of Article 4A of the Illinois Governmental Ethics Act [5 ILCS 420/4A] and Section IV of Executive Order 2015-09, providing for the filing of statements of economic interests, are suspended during the duration of the Gubernatorial

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

[Disaster Proclamation and for thirty days following its termination.](#)

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 5782, effective March 20, 2020, for a maximum of 150 days)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Business Corporation Act
- 2) Code Citation: 14 Ill. Adm. Code 150
- 3) Section Number: 150.740 Emergency Action: New Section
- 4) Statutory Authority: Implementing and authorized by the Business Corporation Act of 1983 [805 ILCS 5].
- 5) Effective Date of Emergency Rule: March 20, 2020
- 6) If this emergency amendment will expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days or the date on which the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020 terminates, whichever occurs first.
- 7) Date Filed with the Index Department: March 20, 2020
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to the COVID-19 virus and the recommendations of the health and safety experts, all Secretary of State Offices will be closed effective Tuesday, March 17, 2020.
- 10) A Complete Description of the Subject and Issues Involved: This new Section authorizes the Secretary of State to extend, for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, filing deadlines for materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes.
- 11) Are there any rulemakings pending on this Part? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 13) Information and questions regarding this emergency rule shall be directed to:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

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The full text of the Emergency Amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

TITLE 14: COMMERCE
SUBTITLE A: REGULATION OF BUSINESS
CHAPTER I: SECRETARY OF STATEPART 150
BUSINESS CORPORATION ACT

SUBPART A: HEARING PROCEDURES

Section

150.10	Applicability
150.20	Definitions
150.30	Right to Counsel
150.40	Appearance of Attorney
150.50	Special Appearance
150.60	Substitution of Parties or Attorneys
150.70	Commencement of Action; Notice of Hearing
150.80	Motions
150.90	Form of Papers
150.100	Conduct of Hearings
150.110	Orders
150.120	Record of Hearings
150.130	Invalidity

SUBPART B: SALE AND RELEASE OF INFORMATION

Section

150.200	Annual List of Corporations
150.210	Monthly List of Corporations
150.220	Daily List of Corporations
150.230	Computer Access to Information
150.240	Abstracts of Corporate Record
150.250	Invalidity

SUBPART C: ERRORS, REFUNDS, CORRECTIONS, ADJUSTMENTS,
OBJECTIONS, AND OTHER RELIEF

Section

150.300	Errors or Defects
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SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

150.305 Financial Data as Support Documentation
150.310 Invalidity

SUBPART D: NAMES

Section
150.400 Preliminary Determination of Availability
150.405 Final Determination of Availability
150.410 Response as to Basis of Unavailability
150.415 Reconsideration Procedure
150.420 Effect of Final Determination
150.425 Applicability
150.430 Availability of Names: Statutory Requirements
150.435 Standards – Conflicting Names
150.440 Distinguishable – Defined
150.445 Matters Not Considered
150.450 Differences
150.455 Surnames
150.460 Alphabet Names
150.465 Government Affiliation
150.470 Restricted and Professional Words
150.475 Acceptable Characters of Print
150.480 Invalidity
150.485 Improper Names

SUBPART E: SERVICE OF PROCESS ON THE SECRETARY OF STATE

Section
150.500 Preamble
150.510 Manner of Service
150.520 Place of Service
150.530 Payment of Fees
150.540 Invalidity

SUBPART F: FEES, FRANCHISE TAX AND LICENSE FEES: ANNUAL REPORT

Section
150.600 Payment of Fees, Franchise Tax and License Fee
150.610 Definitions

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

150.620	Annual Report
150.621	Confidentiality of Annual Report Financial Data
150.630	Shares Having a Par Value
150.631	Amended Annual Report
150.640	Invalidity

SUBPART G: INTERPRETIVE COMMENTS AND GENERAL PROVISIONS

Section

150.700	Interpretive Comments Applicable Generally
150.705	Paid-In Capital
150.710	Advice to the Public
150.720	Incorporating Licensed Professionals
150.725	Corporation Acting as an Incorporator
150.730	Business Hours
150.735	Electronic Filing
150.740	Extension of Filing Deadlines

[EMERGENCY](#)

AUTHORITY: Implementing and authorized by the Business Corporation Act of 1983 [805 ILCS 5].

SOURCE: Adopted at 9 Ill. Reg. 1433, effective February 1, 1985; amended at 10 Ill. Reg. 5146, effective March 21, 1986; amended at 11 Ill. Reg. 10302, effective June 1, 1987; amended at 17 Ill. Reg. 11571, effective July 15, 1993; amended at 18 Ill. Reg. 7783, effective May 15, 1994; amended at 20 Ill. Reg. 7026, effective May 8, 1996; amended at 21 Ill. Reg. 16173, effective December 1, 1997; amended at 27 Ill. Reg. 550, effective December 27, 2002; amended at 28 Ill. Reg. 3504, effective February 3, 2004; amended at 29 Ill. Reg. 14047, effective September 1, 2005; amended at 30 Ill. Reg. 12961, effective July 11, 2006; amended at 31 Ill. Reg. 9469, effective July 16, 2007; amended at 32 Ill. Reg. 12039, effective July 16, 2008; emergency amendment at 42 Ill. Reg. 807, effective December 29, 2017, for a maximum of 150 days; emergency amendment to emergency rule at 42 Ill. Reg. 2073, effective January 9, 2018, for the remainder of 150 days; emergency amendment at 44 Ill. Reg. 5786, effective March 20, 2020, for a maximum of 150 days.

SUBPART G: INTERPRETIVE COMMENTS AND GENERAL PROVISIONS

[Section 150.740 Extension of Filing Deadlines](#)
[EMERGENCY](#)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Filing of organizational documents, annual reports, and other business entity materials.

- a) All organizational documents, annual reports, and other business entity materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes shall be filed with the Business Services Department, Howlett Building, Room 350, Springfield, IL, 62756 or 69 West Washington, Suite 1240, Chicago, IL, 60602.
- b) Pursuant to the powers vested in him by Section 5(7) of the Secretary of State Act, the Secretary of State hereby extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, the filing deadlines for materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes and which were due to be filed on or after March 17, 2020. This extension period may be rescinded by the Secretary of State through the adoption of an emergency rule. Any fees for late filings of materials shall be waived for materials subject to this Section.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5786, effective March 20, 2020, for a maximum of 150 days)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: General Not-For-Profit Corporations
- 2) Code Citation: 14 Ill. Adm. Code 160
- 3) Section Number: 160.30 Emergency Action: New Section
- 4) Statutory Authority: Implementing and authorized by the General Not-for-Profit Corporation Act of 1986 [805 ILCS 105].
- 5) Effective Date of Emergency Rule: March 20, 2020
- 6) If this emergency amendment will expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days or the date on which the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, terminates, whichever occurs first.
- 7) Date Filed with the Index Department: March 20, 2020
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to the COVID-19 virus and the recommendations of the health and safety experts, all Secretary of State offices will be closed effective Tuesday, March 17, 2020.
- 10) A Complete Description of the Subject and Issues Involved: This new Section authorizes the Secretary of State to extend, for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, filing deadlines for materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes.
- 11) Are there any rulemakings pending on this Part? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 13) Information and questions regarding this emergency rule shall be directed to:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

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The full text of the Emergency Amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

TITLE 14: COMMERCE
SUBTITLE A: REGULATION OF BUSINESS
CHAPTER I: SECRETARY OF STATEPART 160
GENERAL NOT FOR PROFIT CORPORATIONS

Section

160.10	Definitions
160.11	Office Location and Business Hours
160.12	Sale of Information
160.13	Fees
160.14	Abstracts and Records
160.15	Hearings
160.16	Names
160.17	Service of Process
160.18	Electronic Filing
160.19	Errors or Defects
160.20	Amended Annual Report
<u>160.30</u>	<u>Extension of Filing Deadlines</u>
<u>EMERGENCY</u>	

AUTHORITY: Implementing and authorized by the General Not for Profit Corporation Act of 1986 [805 ILCS 105].

SOURCE: Adopted at 11 Ill. Reg. 10309, effective June 1, 1987; amended at 20 Ill. Reg. 7045, effective May 8, 1996; amended at 30 Ill. Reg. 12966, effective July 11, 2006; amended at 31 Ill. Reg. 8549, effective June 15, 2007; amended at 42 Ill. Reg. 16917, effective September 5, 2018; emergency amendment at 44 Ill. Reg. 5792, effective March 20, 2020, for a maximum of 150 days.

Section 160.30 Extension of Filing Deadlines
EMERGENCY

Filing of organizational documents, annual reports, and other business entity materials.

- a) All organizational documents, annual reports, and other business entity materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes shall be filed with the Business Services Department,

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Howlett Building, Room 350, Springfield, IL, 62756 or 69 West Washington, Suite 1240, Chicago, IL, 60602.

- b) Pursuant to the powers vested in him by Section 5(7) of the Secretary of State Act, the Secretary of State hereby extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, the filing deadlines for materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes and which were due to be filed on or after March 17, 2020. This extension period may be rescinded by the Secretary of State through the adoption of an emergency rule. Any fees for late filings of materials shall be waived for materials subject to this Section.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5792, effective March 20, 2020, for a maximum of 150 days)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Uniform Partnership Act (1997)
- 2) Code Citation: 14 Ill. Adm. Code 166
- 3) Section Number: 166.85 Emergency Action: New Section
- 4) Statutory Authority: Implementing and authorized by Section 1208 of the Uniform Partnership Act [805 ILCS 206/1208].
- 5) Effective Date of Emergency Rule: March 20, 2020
- 6) If this emergency amendment will expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days or the date on which the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020 terminates, whichever occurs first.
- 7) Date Filed with the Index Department: March 20, 2020
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to the COVID-19 virus and the recommendations of the health and safety experts, all Secretary of State Offices will be closed effective Tuesday, March 17, 2020.
- 10) A Complete Description of the Subject and Issues Involved: This new Section authorizes the Secretary of State to extend, for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, filing deadlines for materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes.
- 11) Are there any rulemakings to this Part pending? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 13) Information and questions regarding this emergency amendment shall be directed to:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Terry McConville
Senior Legal Advisor
100 W. Randolph St. #5-400
Chicago IL 60601

tmcconville@ilsos.gov

The full text of the Emergency Amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

TITLE 14: COMMERCE
SUBTITLE A: REGULATION OF BUSINESS
CHAPTER I: SECRETARY OF STATEPART 166
UNIFORM PARTNERSHIP ACT (1997)

Section

166.10	Prohibited Terms in Title
166.15	Improper Names
166.20	Definitions
166.25	Applicability
166.30	Filing Location
166.35	Business Hours
166.40	Filing Requirements
166.45	Additional Requirements for Forms
166.50	Renewal Reports
166.55	Payment of Fees
166.60	Sale of Information
166.65	Refunds
166.70	Service of Process
166.75	Interrogatories
166.80	Right to Counsel
166.85	Extension of Filing Deadlines

[EMERGENCY](#)

AUTHORITY: Implementing and authorized by Section 1208 of the Uniform Partnership Act [805 ILCS 206/1208].

SOURCE: Adopted at 32 Ill. Reg. 332, effective January 7, 2008; amended at 33 Ill. Reg. 9129, effective July 6, 2009; amended at 35 Ill. Reg. 8226, effective May 13, 2011; amended at 37 Ill. Reg. 12568, effective July 17, 2013; emergency amendment at 44 Ill. Reg. 5796, effective March 20, 2020, for a maximum of 150 days.

[Section 166.85 Extension of Filing Deadlines](#)
[EMERGENCY](#)

[Filing of organizational documents, annual reports, and other business entity materials.](#)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- a) All organizational documents, annual reports, and other business entity materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes shall be filed with the Business Services Department, Howlett Building, Room 350, Springfield, IL, 62756 or 69 West Washington, Suite 1240, Chicago, IL, 60602.
- b) Pursuant to the powers vested in him by Section 5(7) of the Secretary of State Act, the Secretary of State hereby extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, the filing deadlines for materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes and which were due to be filed on or after March 17, 2020. This extension period may be rescinded by the Secretary of State through the adoption of an emergency rule. Any fees for late filings of materials shall be waived for materials subject to this rule.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5796, effective March 20, 2020, for a maximum of 150 days)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Uniform Limited Partnership Act (2001)
- 2) Code Citation: 14 Ill. Adm. Code 171
- 3) Section Number: 171.90 Emergency Action: New Section
- 4) Statutory Authority: Implementing and authorized by Sections 108, 108.5, 109 and 902 of the Illinois Uniform Limited Partnership Act [805 ILCS 215/108, 108.5, 109 and 902].
- 5) Effective Date of Emergency Rule: March 20, 2020
- 6) If this Emergency Amendment will expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days or the date on which the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, terminates, whichever occurs first.
- 7) Date Filed with the Index Department: March 20, 2020
- 8) A copy of the Emergency Amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to the COVID-19 virus and the recommendations of the health and safety experts, all Secretary of State offices will be closed effective Tuesday, March 17, 2020.
- 10) A Complete Description of the Subject and Issues Involved: This new Section authorizes the Secretary of State to extend, for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, filing deadlines for materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes.
- 11) Are there any rulemakings to this Part pending? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 13) Information and questions regarding this emergency rule shall be directed to:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Terry McConville
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The full text of the Emergency Amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

TITLE 14: COMMERCE
SUBTITLE A: REGULATION OF BUSINESS
CHAPTER I: SECRETARY OF STATEPART 171
UNIFORM LIMITED PARTNERSHIP ACT (2001)

Section

171.10	Prohibited Terms in Title
171.15	Improper Names
171.20	Assumed Names
171.25	Definitions
171.30	Applicability
171.35	Filing Location
171.40	Business Hours
171.45	Filing Requirements
171.50	Additional Requirements for Forms
171.55	Payment of Fees
171.60	Sale of Information
171.65	Refunds
171.70	Service of Process
171.75	Interrogatories
171.80	Right to Counsel
171.85	New Practices and Technologies
171.90	Extension of Filing Deadlines
EMERGENCY	

AUTHORITY: Implementing and authorized by Sections 108, 108.5, 109 and 902 of the Illinois Uniform Limited Partnership Act [805 ILCS 215/108, 108.5, 109 and 902].

SOURCE: Adopted at 29 Ill. Reg. 19696, effective November 28, 2005; amended at 32 Ill. Reg. 346, effective January 7, 2008; amended at 32 Ill. Reg. 17971, effective December 1, 2008; amended at 35 Ill. Reg. 8233, effective May 13, 2011; amended at 37 Ill. Reg. 12573, effective July 17, 2013; emergency amendment at 44 Ill. Reg. 5800, effective March 20, 2020, for a maximum of 150 days.

[Section 171.90 Extension of Filing Deadlines](#)
[EMERGENCY](#)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Filing of organizational documents, annual reports, and other business entity materials.

- a) All organizational documents, annual reports, and other business entity materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes shall be filed with the Business Services Department, Howlett Building, Room 350, Springfield, IL, 62756 or 69 West Washington, Suite 1240, Chicago, IL, 60602.
- b) Pursuant to the powers vested in him by Section 5(7) of the Secretary of State Act, the Secretary of State hereby extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, the filing deadlines for materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes and which were due to be filed on or after March 17, 2020. This extension period may be rescinded by the Secretary of State through the adoption of an emergency rule. Any fees for late filings of materials shall be waived for materials subject to this rule.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5800, effective March 20, 2020, for a maximum of 150 days)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Limited Liability Company Act
- 2) Code Citation: 14 Ill. Adm. Code 178
- 3) Section Number: 178.70 Emergency Action: New Section
- 4) Statutory Authority: Implementing and authorized by the Limited Liability Company Act [805 ILCS 180].
- 5) Effective Date of Emergency Rule: March 20, 2020
- 6) If this emergency amendment will expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days or the date on which the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38 issued on March 9, 2020, terminates, whichever occurs first.
- 7) Date Filed with the Index Department: March 20, 2020
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to the COVID-19 virus and the recommendations of the health and safety experts, all Secretary of State offices will be closed effective Tuesday, March 17, 2020.
- 10) A Complete Description of the Subject and Issues Involved: This new Section authorizes the Secretary of State to extend, for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38 issued on March 9, 2020, and for a period of 30 days thereafter, filing deadlines for materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes.
- 11) Are there any rulemakings to this Part pending? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a State mandate as described in Section 3(b) of the State Mandates Act.
- 13) Information and questions regarding this emergency rule shall be directed to:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Terry McConville
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The full text of the Emergency Amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

TITLE 14: COMMERCE
SUBTITLE A: REGULATION OF BUSINESS
CHAPTER I: SECRETARY OF STATEPART 178
LIMITED LIABILITY COMPANY ACT

SUBPART A: RIGHTS AND REQUIREMENTS

Section

178.10	Definitions
178.15	Applicability
178.20	Filing Requirements
178.25	Additional Requirements for Forms
178.30	Filing Location
178.35	Business Hours
178.40	Sale of Information
178.45	Right to Counsel
178.50	Service of Process
178.55	Payment of Fees
178.60	Refunds
178.65	New Practices and Technologies
178.70	Extension of Filing Deadlines

[EMERGENCY](#)

SUBPART B: NAMES

Section

178.100	Availability of Names: Statutory Requirements
178.105	Preliminary Determination of Availability
178.110	Final Determination of Availability
178.115	Response as to Basis of Unavailability
178.120	Reconsideration Procedure
178.125	Effect of Final Determination
178.130	Standards – Conflicting Names
178.135	Distinguishable – Defined
178.140	Matters Not Considered
178.145	Differences
178.150	Surnames

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

178.155	Alphabet Names
178.160	Government Affiliation
178.165	Restricted and Professional Words
178.170	Acceptable Characters of Print
178.175	Invalidity
178.180	Assumed Names
178.185	Foreign LLC with Prohibited Name
178.190	Improper Names

AUTHORITY: Implementing and authorized by the Limited Liability Company Act [805 ILCS 180].

SOURCE: Adopted at 17 Ill. Reg. 22055, effective January 1, 1994; amended at 20 Ill. Reg. 7050, effective May 8, 1996; amended at 21 Ill. Reg. 16178, effective December 1, 1997; amended at 27 Ill. Reg. 8884, effective May 19, 2003; amended at 28 Ill. Reg. 3509, effective February 3, 2004; amended at 29 Ill. Reg. 19699, effective November 28, 2005; amended at 31 Ill. Reg. 8553, effective June 15, 2007; amended at 32 Ill. Reg. 12046, effective July 16, 2008; emergency amendment at 42 Ill. Reg. 813, effective December 29, 2017, for a maximum of 150 days; amended at 42 Ill. Reg. 9550, effective May 24, 2018; emergency amendment at 44 Ill. Reg. 5804, effective March 20, 2020, for a maximum of 150 days.

SUBPART A: RIGHTS AND REQUIREMENTS

Section 178.70 Extension of Filing DeadlinesEMERGENCYFiling of organizational documents, annual reports, and other business entity materials.

- a) All organizational documents, annual reports, and other business entity materials required to be filed with the Secretary of State pursuant to Chapter 805 of the Illinois Compiled Statutes shall be filed with the Business Services Department, Howlett Building, Room 350, Springfield IL, 62756 or 69 West Washington, Suite 1240, Chicago IL, 60602.
- b) Pursuant to the powers vested in him by Section 5(7) of the Secretary of State Act, the Secretary of State hereby extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, the filing deadlines for materials required to be filed with the Secretary of State pursuant to

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Chapter 805 of the Illinois Compiled Statutes and which were due to be filed on or after March 17, 2020. This extension period may be rescinded by the Secretary of State through the adoption of an emergency rule. Any fees for late filings of materials shall be waived for materials subject to this Section.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5804, effective March 20, 2020, for a maximum of 150 days)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Uniform Commercial Code
- 2) Code Citation: 14 Ill. Adm. Code 180
- 3) Section Number: 180.13 Emergency Action: Amendment
- 4) Statutory Authority: Implementing and authorized by Article 9 of the Uniform Commercial Code [810 ILCS 5/Art. 9].
- 5) Effective Date of Emergency Rule: March 20, 2020
- 6) If this emergency amendment will expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days or the date on which the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38 issued on March 9, 2020 terminates, whichever occurs first.
- 7) Date Filed with the Index Department: March 20, 2020
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to the COVID-19 virus and the recommendations of the health and safety experts, all Secretary of State Offices will be closed effective Tuesday, March 17, 2020.
- 10) A Complete Description of the Subject and Issues Involved: This amended Section authorizes the Secretary of State to extend, for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38 issued on March 9, 2020, and for a period of 30 days thereafter, filing deadlines for materials required to be filed with the Secretary of State pursuant to Chapter 810 of the Illinois Compiled Statutes.
- 11) Are there any rulemakings to this Part pending? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a State mandate as described in Section 3(b) of the State Mandates Act.
- 13) Information and questions regarding this emergency rule shall be directed to:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Terry McConville
Senior Legal Advisor
100 W. Randolph St. #5-400
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tmcconville@ilsos.gov

The full text of the Emergency Amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

TITLE 14: COMMERCE
SUBTITLE A: REGULATION OF BUSINESS
CHAPTER I: SECRETARY OF STATEPART 180
UNIFORM COMMERCIAL CODE

Section

- 180.10 Definitions
- 180.11 Tender of UCC Records for Filing/Search Request Delivery
- 180.12 Forms
- 180.13 Filing Fees/Methods of Payment/Overpayment and Underpayment Policies [and Extension of Filing Deadlines](#)

[EMERGENCY](#)

- 180.14 Public Record Services
- 180.15 Acceptance and Refusal of Records
- 180.16 UCC Information Management System
- 180.17 Filing and Data Entry Procedures
- 180.18 Search Requests and Reports
- 180.19 XML Documents

AUTHORITY: Implementing and authorized by Article 9 of the Uniform Commercial Code [810 ILCS 5/Art. 9].

SOURCE: Adopted at 12 Ill. Reg. 17431, effective November 1, 1988; amended at 18 Ill. Reg. 2101, effective February 1, 1994; amended at 20 Ill. Reg. 7064, effective May 8, 1996; emergency amendment at 25 Ill. Reg. 9984, effective July 23, 2001, for a maximum of 150 days; emergency expired December 19, 2001; amended at 26 Ill. Reg. 7448, effective May 2, 2002; amended at 29 Ill. Reg. 19704, effective November 28, 2005; amended at 30 Ill. Reg. 12977, effective July 11, 2006; amended at 31 Ill. Reg. 8559, effective June 15, 2007; amended at 32 Ill. Reg. 12057, effective July 16, 2008; amended at 34 Ill. Reg. 1411, effective February 1, 2010; amended at 36 Ill. Reg. 3931, effective February 27, 2012; amended at 37 Ill. Reg. 15745, effective September 19, 2013; amended at 38 Ill. Reg. 15638, effective July 1, 2014; emergency amendment at 44 Ill. Reg. 5809, effective March 20, 2020, for a maximum of 150 days.

Section 180.13 Filing Fees/Methods of Payment/Overpayment and Underpayment Policies [and Extension of Filing Deadlines](#)
[EMERGENCY](#)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- a) Filing Fees.
 - 1) The fee for filing and indexing a UCC record communicated in a paper-based format or electronically is \$20.
 - 2) A fee of \$20 shall be paid for an initial financing statement that indicates that it is filed in connection with a public-finance transaction and a fee of \$20 shall be paid for an initial financing statement that indicates that it is filed in connection with a manufactured-home transaction.
 - 3) UCC search fee. The fee for a UCC search request communicated on paper or in a paper-based format is \$10 per name searched.
 - 4) UCC search – copies. The fee for UCC search copies is \$1 per page.
- b) Methods of Payment. Filing fees and fees for public records services may be paid by the following methods:
 - 1) Cash. Payment in cash shall be accepted, if paid in person at the filing office.
 - 2) Checks. Personal checks, cashier's checks and money orders made payable to the filing office shall be accepted for payment if they are drawn on a bank acceptable to the filing office or if the drawer is acceptable to the filing office. Checks made payable to the filing office are acceptable to the filing office if drawn on a bank insured by the Federal Deposit Insurance Corporation (FDIC), the Federal Savings and Loan Insurance Corporation (FSLIC), or the National Credit Union Association (NCUA).
 - 3) Electronic funds transfer. The filing office may accept payment via electronic funds transfer under National Automated Clearing House Association (NACHA) rules from remitters who have entered into appropriate NACHA-approved arrangements for the EFT and who authorize the relevant transfer pursuant to the arrangements and rules. NACHA rules are available at NACHA, 13665 Dulles Technology Drive, Suite 300, Herndon VA 20171. The NACHA rules were effective as of January 1, 2001 and do not include any later amendments or editions.
 - 4) Credit cards. The UCC Division shall accept payment by credit cards

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

issued by approved issuers. Remitters shall provide the filing officer with the card number, the expiration date of the card, the name of the card issuer, the name of the person or entity to whom the card was issued, the daytime telephone number of the remitter and the billing address for the card. Payment will not be deemed tendered until the issuer or its agent has confirmed payment. A current list of approved credit card issuers is available from the filing office.

- 5) Debit cards. The UCC Division shall accept payment by debit cards issued by approved issuers (e.g., Visa, MasterCard). Remitters shall provide the filing officer with the card number, the expiration date of the card, the name of the card issuer, the name of the person or entity to whom the card was issued, the daytime telephone number of the remitter and the billing address for the card. Payment will not be deemed tendered until the issuer or its agent has confirmed payment. A current list of approved debit card issuers is available from the filing office.

c) Overpayment and Underpayment Policies.

- 1) Overpayment. The filing officer shall refund an overpayment only upon the written request of the remitter. Requests for refund shall contain the debtor's name and address, the file number and date of filing the record for which overpayment was made. If the record for which a refund is requested is a UCC-3, the request must also include the file number of the original filing.
- 2) Underpayment. Upon receipt of a record with an insufficient fee, the filing officer shall return the record to the remitter as provided in Section 180.15. The tendered payment shall be included with the record.
- 3) Non-sufficient funds. Upon notification from Accounting/Revenue that non-sufficient funds or an unacceptable form of payment was receipted for a UCC filing, that filing will be reversed and removed from the Secretary of State information management system as though it were never received and was refused for acceptance under the provisions of 810 ILCS 5/9-516(b)(2).

d) [Filing of Uniform Commercial Code \(UCC\) documents, federal tax liens, and other UCC-related materials.](#)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 1) All UCC documents, federal tax liens, and other UCC-related materials required to be filed with the Secretary of State pursuant to Chapter 810 of the Illinois Compiled Statutes shall be filed with the Business Services Department, Howlett Building, Room 350, Springfield, IL, 62756.
- 2) Pursuant to the powers vested in him by Section 5(7) of the Secretary of State Act, the Secretary of State hereby extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, the filing deadlines for materials required to be filed with the Secretary of State pursuant to Chapter 810 of the Illinois Compiled Statutes and which were due to be filed on or after March 17, 2020. This extension period may be rescinded by the Secretary of State through the adoption of an emergency rule. Any fees for late filings of materials shall be waived for materials subject to this Section.

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 5809, effective March 20, 2020, for a maximum of 150 days)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Court of Claims Regulations
- 2) Code Citation: 74 Ill. Adm. Code 790
- 3) Section Number: 790.40 Emergency Action: Amendment
- 4) Statutory Authority: Authorized by Section 9A and implementing the Court of Claims Act [705 ILCS 505].
- 5) Effective Date of Emergency Rule: March 20, 2020
- 6) If this emergency amendment will expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days or the date on which the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38 issued on March 9, 2020, terminates, whichever occurs first.
- 7) Date Filed with the Index Department: March 20, 2020
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to the COVID-19 virus and the recommendations of health and safety experts, governmental services have been curtailed effective Tuesday, March 17, 2020.
- 10) A Complete Description of the Subject and Issues Involved: Pursuant to this emergency rulemaking, for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38, issued on March 9, 2020 and for a period of 30 days thereafter, the statute of limitations for filing claims with the Illinois Court of Claims is tolled.
- 11) Are there any rulemakings to this Part pending? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a State mandate as described in Section 3(b) of the State Mandates Act.
- 13) Information and questions regarding this emergency rule shall be directed to:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Brad Bucher
Court Administrator
630 S. College Street
Springfield IL 62756

bbucher@ilsos.gov
217/782-0111

The full text of the Emergency Amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

TITLE 74: PUBLIC FINANCE
CHAPTER VI: COURT OF CLAIMSPART 790
COURT OF CLAIMS REGULATIONS

SUBPART A: COURT OF CLAIMS RULES

Section

790.10	Terms of Court
790.20	Pleadings and Practice
790.25	Rule References
790.30	Pleadings – Forms
790.40	Procedure
<u>EMERGENCY</u>	
790.50	Complaint-Required Provisions
790.55	Discovery
790.60	Exhaustion of Remedies
790.70	General Continuance – Status Report
790.80	Death of Claimant
790.90	Dismissal
790.100	Answer by Respondent
790.110	Hearings – Assignments and Continuances
790.120	Transcript of Evidence
790.130	Costs of Evidence
790.140	Departmental Records and Reports – Prima Facie Evidence
790.150	Medical Examination of Claimant
790.155	Subpoenas
790.160	Excerpts from the Record
790.170	Briefs
790.180	Excerpts and Briefs – Time for Filing
790.190	Extension of Time
790.200	Motions
790.210	Oral Argument of Case
790.220	Rehearing or New Trial
790.230	Rehearing – Procedure (Repealed)
790.240	New Trial (Repealed)
790.250	Records – Calendar
790.260	Dismissal for want of Prosecution

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

790.270 Fees and Costs

SUBPART B: ADOPTION AND EFFECTIVE DATES

Section

790.280 Adoption and Effective Dates

AUTHORITY: Authorized by Section 9A and implementing the Court of Claims Act [705 ILCS 505].

SOURCE: Rules of the Court of Claims, filed and effective July 1, 1975; codified at 6 Ill. Reg. 2111; recodified at 6 Ill. Reg. 2594; amended at 24 Ill. Reg. 8228, effective July 1, 2000; amended at 32 Ill. Reg. 12315, effective July 18, 2008; amended at 40 Ill. Reg. 7314, effective April 29, 2016; emergency amendment at 44 Ill. Reg. 5815, effective March 20, 2020, for a maximum of 150 days.

SUBPART A: COURT OF CLAIMS RULES

Section 790.40 Procedure**EMERGENCY**

- a) Filing. Cases shall be commenced by the filing of a verified complaint with the Clerk of the Court. A party filing a case shall be designated as the claimant, and either the State of Illinois or the appropriate State agency (Section 8(d), Court of Claims Act [705 ILCS 505/8(d)]) shall be designated as the respondent. The Clerk will note on the complaint, and each copy, the date of filing, and deliver one of the copies to the Attorney General or to the legal counsel of the appropriate State agency. Joinder of claimants in one case is permitted, as provided by the Code of Civil Procedure [735 ILCS 5].
- b) Attorney of Record. In all cases filed in this Court, all claimants not appearing pro se must be represented of record by a member of the Illinois bar. Permission for an out-of-state attorney to appear will require compliance with Supreme Court Rules 707, 718 and 756, governing out-of-state attorneys' authorization to practice. If the name of an attorney, his address, and telephone number appear on a complaint, no written appearance for such attorney need be filed, but withdrawal and substitution of attorneys shall be by written motion, with proof of service upon the claimant, and filed in the case.

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- c) Complaint-form. The complaint shall be captioned substantially as follows:

IN THE COURT OF CLAIMS OF THE
STATE OF ILLINOIS

A.B.,))	
Claimant))	
vs. )	)	No. _____
))	\$ _____
STATE OF ILLINOIS (or )	)	Amount Claimed
the appropriate))	
State Agency),))	
))	
Respondent))	

- d) Pursuant to the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038, the statute of limitations for filing claims in the Illinois Court of Claims, as referenced in 705 ILCS 22, and the Notice provision of 705 ILCS 22-1 is tolled for the pendency of this disaster and for a period of 30 days thereafter.

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 5815, effective March 20, 2020, for a maximum of 150 days)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Merit Commission
- 2) Code Citation: 80 Ill. Adm. Code 50
- 3) Section Number: 50.150 Emergency Action: New Section
- 4) Statutory Authority: Implementing and authorized by Sections 8-9a of the Secretary of State Merit Employment Code [15 ILCS 310].
- 5) Effective Date of Emergency Rule: March 17, 2020
- 6) If this Emergency Amendment will expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days or the date on which the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38 issued on March 9, 2020, terminates, whichever occurs first.
- 7) Date Filed with the Index Department: March 17, 2020
- 8) A copy of the Emergency Amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to the COVID-19 virus and the recommendations of the health and safety experts, all Secretary of State offices will be closed effective Tuesday, March 17, 2020.
- 10) A Complete Description of the Subject and Issues Involved: This new Section authorizes the Secretary of State to extend for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38 issued on March 9, 2020, and for a period of 30 days thereafter the time for holding hearings pursuant to Section 9 of the Secretary of State Merit Employment Code.
- 11) Are there any rulemakings to this Part pending? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a State mandate as described in Section 3(b) of the State Mandates Act.
- 13) Information and questions regarding this emergency amendment shall be directed to:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Brenda Glahn
Senior Legal Advisor
298 Howlett Building
Springfield IL 62756

blgahn@ilsos.gov

The full text of the Emergency Amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

TITLE 80: PUBLIC OFFICIALS AND EMPLOYEES

SUBTITLE A: MERIT EMPLOYMENT SYSTEMS

CHAPTER II: SECRETARY OF STATE MERIT COMMISSION

PART 50

MERIT COMMISSION

Section

- 50.10 Meetings of the Merit Commission
- 50.20 Classification Plan
- 50.30 Personnel Rules
- 50.40 Jurisdiction B Exemptions
- 50.50 Orders of Compliance
- 50.60 Disciplinary Hearings and Demotions
- 50.70 Geographical Transfers
- 50.80 Allocation Appeals
- 50.90 Layoff Appeals
- 50.100 Personnel Code and Personnel Rule Violations
- 50.110 Record of Hearings and General Procedural Rules
- 50.120 Authority of the Hearing Officer
- 50.130 Authority of Commission Over Hearing Officer
- 50.140 Administrative Review
- [50.150 Extension of Hearing Dates](#)

[EMERGENCY](#)

AUTHORITY: Implementing and authorized by Sections 8-9a of the Secretary of State Merit Employment Code [15 ILCS 310].

SOURCE: Filed September 15, 1977; amended at 7 Ill. Reg. 17496, effective January 1, 1984; amended at 8 Ill. Reg. 1988, effective February 10, 1984; codified at 8 Ill. Reg. 15000; amended at 11 Ill. Reg. 6285, effective April 15, 1987; amended at 35 Ill. Reg. 12801, effective July 14, 2011; amended at 39 Ill. Reg. 436, effective December 18, 2014; emergency amendment at 44 Ill. Reg. 5820, effective March 17, 2020, for a maximum of 150 days.

[Section 50.150 Extension of Hearing Dates](#)[EMERGENCY](#)

[Pursuant to the powers vested in him by Section 5\(7\) of the Secretary of State Act, and pursuant to the provisions of Executive Order No. 2020-08, issued on March 17, 2020, the Secretary of](#)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

State hereby extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter, the date for all hearings conducted pursuant to Section 9 of the Secretary of State Merit Employment Code. This extension period may be rescinded by the Secretary of State through the adoption of an emergency rulemaking.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5820, effective March 17, 2020, for a maximum of 150 days)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Procedures and Standards
- 2) Code Citation: 92 Ill. Adm. Code 1001
- 3) Section Number: 1001.800 Emergency Action: New Section
- 4) Statutory Authority: 625 ILCS 5/2-104(b)
- 5) Effective Date of Emergency Rule: March 17, 2020
- 6) If this emergency amendment will expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days or the date on which the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38 issued on March 9, 2020, terminates, whichever occurs first.
- 7) Date Filed with the Index Department: March 17, 2020
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to the COVID-19 virus and the recommendations of health and safety experts, all Secretary of State offices will be closed effective Tuesday, March 17, 2020.
- 10) A Complete Description of the Subject and Issues Involved: This emergency rulemaking extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-38 issued on March 9, 2020, and for a period of 30 days thereafter the time for holding administrative hearings.
- 11) Are there any rulemakings to this Part pending? Yes

<u>Section Numbers:</u>	<u>Proposed Actions:</u>	<u>Illinois Register Citations:</u>
1001.400	Amendment	44 Ill. Reg. 2246; February 7, 2020
1001.440	Amendment	44 Ill. Reg. 2246; February 7, 2020
1001.441	Amendment	44 Ill. Reg. 2246; February 7, 2020
1001.442	Amendment	44 Ill. Reg. 2246; February 7, 2020
1001.444	Amendment	44 Ill. Reg. 2246; February 7, 2020

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

1001.465

Amendment

44 Ill. Reg. 2246; February 7, 2020

12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a State mandate as described in Section 3(b) of the State Mandates Act.

13) Information and questions regarding this emergency amendment shall be directed to:

Brenda Glahn
Senior Legal Advisor
298 Howlett Building
Springfield IL 62756

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The full text of the Emergency Amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATEPART 1001
PROCEDURES AND STANDARDS

SUBPART A: FORMAL ADMINISTRATIVE HEARINGS

Section

1001.10	Applicability
1001.20	Definitions
1001.30	Right to Counsel
1001.40	Appearance of Attorney
1001.50	Special Appearance
1001.60	Substitution of Parties
1001.70	Commencement of Actions; Notice of Hearing
1001.80	Motions
1001.90	Form of Papers – Original Documents Required
1001.100	Conduct of Formal Hearings
1001.110	Orders; Notification; Time Limits on Obtaining Relief
1001.120	Record of Hearings
1001.130	Invalidity

SUBPART B: ILLINOIS SAFETY RESPONSIBILITY HEARINGS

Section

1001.200	Applicability
1001.210	Definitions
1001.220	Hearings: Notice; Location; Procedures; Record
1001.230	Rules of Evidence
1001.240	Scope of Hearings
1001.250	Decisions and Orders
1001.260	Rehearings
1001.270	Judicial Review
1001.280	Invalidity

SUBPART C: RULES ON THE CONDUCT OF INFORMAL HEARINGS IN
DRIVER'S LICENSE SUSPENSIONS AND REVOCATIONS

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Section

1001.300	Applicability
1001.310	Definitions
1001.320	Right to Representation
1001.330	Record and Reports
1001.340	Location of Hearings
1001.350	Duties and Responsibilities
1001.360	Decisions; Time Limits on Obtaining Relief
1001.370	Invalidity

SUBPART D: STANDARDS FOR THE GRANTING OF RESTRICTED DRIVING
PERMITS, REINSTATEMENT, AND THE TERMINATION OF CANCELLATIONS OF
DRIVING PRIVILEGES BY THE OFFICE OF THE SECRETARY OF STATE

Section

1001.400	Applicability; Statement of Principle and Purpose
1001.410	Definitions
1001.420	General Provisions Relating to the Issuance of Restricted Driving Permits
1001.430	General Provisions for Reinstatement of Driving Privileges after Revocation
1001.440	Provisions for Alcohol and Drug Related Revocations, Suspensions, and Cancellations
1001.441	Procedures for Breath Alcohol Ignition Interlock Device Conditioned RDPs
1001.442	BAIID Provider Certification Procedures and Responsibilities; Certification of BAIIDs; Inspections; BAIID Installer's Responsibilities; Decertification of a BAIID Provider
1001.443	Breath Alcohol Ignition Interlock Device Multiple Offender – Compliance with Interlock Program
1001.444	Monitoring Device Driving Permit (MDDP) Provisions
1001.450	New Hearings
1001.460	Requests for Modification of Revocations and Suspensions
1001.465	Cancellation of Driving Privileges; Hearing to Contest and Show Cause Hearing
1001.470	Renewal, Correction and Cancellation of RDPs
1001.480	Unsatisfied Judgment Suspensions
1001.485	Reinstatement Application Based Upon Issuance of Drivers License in a State Which is a Member of the Driver License Compact
1001.490	Invalidity

SUBPART E: FORMAL MEDICAL HEARINGS

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Section

1001.500	Applicability
1001.510	Definitions
1001.520	Procedure
1001.530	Conduct of Medical Formal Hearings
1001.540	Subsequent Hearings

SUBPART F: ZERO TOLERANCE SUSPENSION OF DRIVING PRIVILEGES;
PERSONS UNDER THE AGE OF 21 YEARS; IMPLIED CONSENT
HEARINGS; RESTRICTED DRIVING PERMITS

Section

1001.600	Applicability
1001.610	Definitions
1001.620	Burden of Proof
1001.630	Implied Consent Hearings; Religious Exception
1001.640	Implied Consent Hearings; Medical Exception
1001.650	Rebuttable Presumption
1001.660	Alcohol and Drug Education and Awareness Program
1001.670	Petitions for Restricted Driving Permits
1001.680	Form and Location of Hearings
1001.690	Invalidity

SUBPART G: MOTOR VEHICLE FRANCHISE ACT

Section

1001.700	Applicability
1001.710	Definitions
1001.720	Organization of Motor Vehicle Review Board
1001.730	Motor Vehicle Review Board Meetings
1001.740	Board Fees
1001.750	Notice of Protest
1001.760	Hearing Procedures
1001.770	Conduct of Protest Hearing
1001.780	Mandatory Settlement Conference
1001.785	Technical Issues
1001.790	Hearing Expenses; Attorney's Fees
1001.795	Invalidity

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

SUBPART H: MISCELLANEOUSSection1001.800 Extension of Hearing DatesEMERGENCY

1001.APPENDIX A BAIID Regions and Minimum Installation/Service Center Site Location Guidelines (Repealed)

AUTHORITY: Subpart A implements Sections 2-113, 2-118, 6-108, 6-205, and 6-206 and is authorized by Sections 2-103 and 2-104 of the Illinois Vehicle Code [625 ILCS 5]. Subpart B implements Chapter 7 and is authorized by Sections 2-103, 2-104, 2-106, 2-107, 2-108, 2-113, and 2-114, and Ch. 7 of the Illinois Vehicle Code. Subpart C implements Sections 6-205(c) and 6-206(c)3 and is authorized by Sections 2-103 and 2-104 of the Illinois Vehicle Code. Subpart D is authorized by Sections 2-104 and 11-501 of the Illinois Vehicle Code and implementing Sections 6-103, 6-205(c), 6-206(c)3, and 6-208 of the Illinois Vehicle Code. Subpart E implements Sections 2-113, 2-118, 2-123, 6-103, 6-201, 6-906, and 6-908 and is authorized by Sections 2-103, 2-104, 6-906, and 6-909 of the Illinois Vehicle Code. Subpart F implements Sections 2-113, 2-118, 6-208.2, 11-501.1, and 11-501.8 and is authorized by Sections 2-103, 2-104, and 11-501.8 of the Illinois Vehicle Code. Subpart G implements and is authorized by the Motor Vehicle Franchise Act [815 ILCS 710].

SOURCE: Adopted and codified at 7 Ill. Reg. 7501, effective June 17, 1983; amended at 8 Ill. Reg. 4220, effective April 1, 1984; emergency amendment at 9 Ill. Reg. 17030, effective October 18, 1985, for a maximum of 150 days; amended at 10 Ill. Reg. 4558, effective March 18, 1986; amended at 11 Ill. Reg. 17844, effective October 15, 1987; amended at 13 Ill. Reg. 15803, effective October 1, 1989; amended at 14 Ill. Reg. 2601, effective February 15, 1990; amended at 14 Ill. Reg. 16041, effective October 1, 1990; emergency amendment at 16 Ill. Reg. 19926, effective December 8, 1992, for a maximum of 150 days; emergency amendment at 17 Ill. Reg. 2047, effective January 27, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 6274, effective May 1, 1993; amended at 17 Ill. Reg. 8528, effective June 1, 1993; emergency amendment at 18 Ill. Reg. 7916, effective May 10, 1994, for a maximum of 150 days; amended at 18 Ill. Reg. 15127, effective September 21, 1994; emergency amendment at 19 Ill. Reg. 54, effective January 1, 1995, for a maximum of 150 days; amended at 19 Ill. Reg. 6667, effective May 1, 1995; emergency amendment at 20 Ill. Reg. 1626, effective January 15, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 8328, effective June 12, 1996; emergency amendment at 20 Ill. Reg. 9355, effective July 1, 1996, for a maximum of 150 days; amended at 20 Ill. Reg. 15773, effective November 28, 1996; amended at 23 Ill. Reg. 692, effective January 15, 1999; amended at 24 Ill. Reg. 19257, effective December 15, 2000; expedited correction at

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

25 Ill. Reg. 7352, effective December 15, 2000; emergency amendment at 25 Ill. Reg. 13790, effective October 15, 2001, for a maximum of 150 days; emergency expired on March 13, 2002; emergency amendment at 25 Ill. Reg. 14979, effective November 9, 2001, for a maximum of 150 days; emergency expired on April 7, 2002; amended at 26 Ill. Reg. 9380, effective June 13, 2002; amended at 26 Ill. Reg. 13347, effective August 21, 2002, for a maximum of 150 days; emergency amendment at 26 Ill. Reg. 14706, effective September 20, 2002, for a maximum of 150 days; emergency expired on February 16, 2003; amended at 27 Ill. Reg. 5969, effective March 31, 2003; amended at 27 Ill. Reg. 13577, effective August 1, 2003; amended at 28 Ill. Reg. 12123, effective September 1, 2004; amended at 28 Ill. Reg. 15804, effective November 19, 2004; amended at 31 Ill. Reg. 6185, effective May 1, 2007; amended at 31 Ill. Reg. 14837, effective November 1, 2007; amended at 33 Ill. Reg. 282, effective January 1, 2009; emergency amendment at 35 Ill. Reg. 3848, effective February 15, 2011, for a maximum of 150 days; amended at 35 Ill. Reg. 10934, effective June 21, 2011; amended at 36 Ill. Reg. 7300, effective April 30, 2012; amended at 37 Ill. Reg. 5844, effective April 19, 2013; amended at 39 Ill. Reg. 2718, effective February 6, 2015; amended at 40 Ill. Reg. 834, effective December 31, 2015; amended at 40 Ill. Reg. 6158, effective March 23, 2016; amended at 41 Ill. Reg. 473, effective December 28, 2016; amended at 42 Ill. Reg. 16921, effective September 5, 2018; emergency amendment at 44 Ill. Reg. 5824, effective March 17, 2020, for a maximum of 150 days.

SUBPART H: MISCELLANEOUSSection 1001.800 Extension of Hearing Dates
EMERGENCY

Pursuant to the power vested in him by Section 5(7) of the Secretary of State Act, and pursuant to the provisions of the Executive order No. 2020-08, issued on March 17, 2020, the Secretary of State extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter the date for all hearings conducted pursuant to Section 2-118(a) of the Illinois Vehicle Code. This extension period may be rescinded by the Secretary of State through the adoption of an emergency rulemaking.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5824, effective March 17, 2020, for a maximum of 150 days)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Certificates of Title, Registration of Vehicles
- 2) Code Citation: 92 Ill. Adm. Code 1010
- 3) Section Number: 1010.630 Emergency Action: New Section
- 4) Statutory Authority: 625 ILCS 5/2-104(b)
- 5) Effective Date of Emergency Rule: March 17, 2020
- 6) If this emergency amendment will expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days or the date on which the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, terminates, whichever occurs first.
- 7) Date Filed with the Index Department: March 17, 2020
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to the COVID-19 virus and the recommendations of health and safety experts, all Secretary of State Driver Service facilities will be closed effective Tuesday, March 17, 2020.
- 10) A Complete Description of the Subject and Issues Involved: This emergency rulemaking extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter the expiration date of all vehicle registrations.
- 11) Are there any rulemakings to this Part pending? Yes

<u>Section Number:</u> 1010.540	<u>Proposed Action:</u> Amendment	<u>Illinois Register Citation:</u> 44 Ill. Reg. 3341; March 6, 2020
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- 12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 13) Information and questions regarding this emergency amendment shall be directed to:

Brenda Glahn
Senior Legal Advisor
298 Howlett Building
Springfield IL 62756

blgahn@ilsos.gov

The full text of the Emergency Amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATEPART 1010
CERTIFICATES OF TITLE, REGISTRATION OF VEHICLES

SUBPART A: DEFINITIONS

Section	
1010.10	Owner – Application of Term
1010.20	Secretary and Department

SUBPART B: TITLES

Section	
1010.110	Salvage Certificate – Additional Information Required to Accompany Application for a Certificate of Title for a Rebuilt or a Restored Vehicle Upon Surrendering Salvage Certificate
1010.120	Salvage Certificate – Assignments and Reassignments
1010.130	Exclusiveness of Lien on Certificate of Title
1010.140	Documents Required to Title and Register Imported Vehicles Not Manufactured in Conformity with Federal Emission or Safety Standards
1010.150	Transferring Certificates of Title Upon the Owner's Death
1010.160	Repossession of Vehicles by Lienholders and Creditors
1010.170	Junking Notification
1010.180	Specially Constructed Vehicles – Defined
1010.185	Specially Constructed Vehicles – Required Documentation for Title and Registration
1010.190	Issuance of Title and Registration Without Standard Ownership Documents – Bond
1010.193	Procedures for Application for Title for Vehicles Purchased at Mechanic's Lien Sales
1010.195	Procedures and Disclosures for Vehicles Previously Titled in Areas Flooded as a Result of a Natural Disaster

SUBPART C: REGISTRATION

Section	
1010.200	Homemade Trailers – Title and Registration

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

1010.210	Application for Registration
1010.220	Vehicles Subject to Registration – Exceptions
1010.230	Refusing Registration or Certificate of Title
1010.240	Registration Plates To Be Furnished by the Secretary of State
1010.245	Electronic Registration and Titling (ERT) Program Provisions
1010.250	Applications For Reassignment

SUBPART D: REVOCATION, SUSPENSION AND
CANCELLATION OF REGISTRATION

Section	
1010.300	Operation of Vehicle after Cancellation, Suspension, or Revocation of any Registration
1010.310	Improper Use of Evidences of Registration
1010.320	Suspension, Cancellation or Revocation of Illinois Registration Plates and Cards and Titles
1010.330	Operation of Vehicle Without Proper Illinois Registration
1010.350	Suspension or Revocation
1010.360	Surrender of Plates, Decals or Cards

SUBPART E: SPECIAL PERMITS AND PLATES

Section	
1010.410	Temporary Registration – Individual Transactions
1010.420	Temporary Permit Pending Registration In Illinois
1010.421	Issuance of Temporary Registration Permits by Persons or Entities Other Than the Secretary of State
1010.425	Non-Resident Drive-Away Permits
1010.426	Seven Day Permits
1010.430	Registration Plates for Motor Vehicles Used for Transportation of Persons for Compensation and Tow Trucks
1010.440	Title and Registration of Vehicles with Permanently Mounted Equipment
1010.450	Special Plates
1010.451	Purple Heart License Plates
1010.452	Special Event License Plates
1010.453	Retired Armed Forces License Plates
1010.454	Gold Star License Plates
1010.455	Collectible License Plates
1010.456	Sample License Plates For Motion Picture and Television Studios

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

1010.457	Korean War Veteran License Plates
1010.458	Collegiate License Plates
1010.459	Universal Plate Decal
1010.460	Special Plates for Members of the United States Armed Forces Reserves
1010.465	Requests for General Issuance Specialty License Plates
1010.470	Dealer Plate Records
1010.480	State of Illinois In-Transit Plates

SUBPART F: FEES

Section

1010.510	Determination of Registration Fees
1010.520	When Fees Returnable
1010.530	Circuit Breaker Registration Discount
1010.540	Fees
1010.550	Determining Age of Vehicle

SUBPART G: MISCELLANEOUS

Section

1010.610	Unlawful Acts, Fines and Penalties
1010.620	Change of Engine
1010.630	Extension of Expiration Date

[EMERGENCY](#)

SUBPART H: SECOND DIVISION VEHICLES

Section

1010.705	Reciprocity
1010.710	Vehicle Proration
1010.715	Proration Fees
1010.720	Vehicle Apportionment
1010.725	Trip Leasing
1010.730	Intrastate Movements, Foreign Vehicles
1010.735	Interline Movements
1010.740	Trip and Short-term Permits
1010.745	Signal 30 Permit for Foreign Registration Vehicles (Repealed)
1010.750	Signal 30-Year-round for Prorated Fleets of Leased Vehicles (Repealed)
1010.755	Mileage Tax Plates

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

1010.756	Suspension or Revocation of Illinois Mileage Weight Tax Plates
1010.760	Transfer for "For-Hire" Loads
1010.765	Suspension or Revocation of Exemptions as to Foreign Registered Vehicles
1010.770	Required Documents for Trucks and Buses to detect "intrastate" movements
1010.775	Certificate of Safety
1010.APPENDIX A	Uniform Vehicle Registration Proration and Reciprocity Agreement
1010.APPENDIX B	International Registration Plan
1010.APPENDIX C	Affirmation Supporting Salvage Certificate
1010.APPENDIX D	Specialty License Plates Request Form

AUTHORITY: Authorized by Section 2-104(b) of, and implementing Chapters 3 and 5 of, the Illinois Vehicle Code [625 ILCS 5].

SOURCE: Filed and effective December 15, 1970; emergency amendment at 2 Ill. Reg. 25, p. 119, effective June 14, 1978, for a maximum of 150 days; amended at 3 Ill. Reg. 12, p. 76, effective March 23, 1979; amended at 3 Ill. Reg. 29, p. 123, effective July 20, 1979; amended at 4 Ill. Reg. 17, p. 247, effective April 11, 1980; emergency amendment at 4 Ill. Reg. 21, p. 99, effective May 14, 1980, for a maximum of 150 days; amended at 6 Ill. Reg. 2241, effective February 1, 1982; amended at 6 Ill. Reg. 11076, effective August 26, 1982; codified at 6 Ill. Reg. 12674; amended at 7 Ill. Reg. 1432, effective January 21, 1983; amended at 7 Ill. Reg. 1436, effective January 21, 1983; amended at 8 Ill. Reg. 5329, effective April 6, 1984; amended at 9 Ill. Reg. 3358, effective March 1, 1985; amended at 9 Ill. Reg. 9176, effective May 30, 1985; amended at 9 Ill. Reg. 12863, effective August 2, 1985; amended at 9 Ill. Reg. 14711, effective September 13, 1985; amended at 10 Ill. Reg. 1243, effective January 6, 1986; amended at 10 Ill. Reg. 4245, effective February 26, 1986; amended at 10 Ill. Reg. 14308, effective August 19, 1986; recodified at 11 Ill. Reg. 15920; amended at 12 Ill. Reg. 14711, effective September 15, 1988; amended at 12 Ill. Reg. 15193, effective September 15, 1988; amended at 13 Ill. Reg. 1598, effective February 1, 1989; amended at 13 Ill. Reg. 5173, effective April 1, 1989; amended at 13 Ill. Reg. 7965, effective May 15, 1989; amended at 13 Ill. Reg. 15102, effective September 15, 1989; amended at 14 Ill. Reg. 4560, effective March 1, 1990; amended at 14 Ill. Reg. 6848, effective April 18, 1990; amended at 14 Ill. Reg. 9492, effective June 1, 1990; amended at 14 Ill. Reg. 19066, effective November 15, 1990; amended at 15 Ill. Reg. 12782, effective August 15, 1991; amended at 16 Ill. Reg. 12587, effective August 1, 1992; amended at 19 Ill. Reg. 11947, effective August 1, 1995; amended at 19 Ill. Reg. 16289, effective November 27, 1995; amended at 20 Ill. Reg. 11349, effective August 1, 1996; amended at 21 Ill. Reg. 8408, effective June 23, 1997; amended at 21 Ill. Reg. 13372, effective September 17, 1997; amended at 22 Ill. Reg. 8521, effective April 28, 1998; amended at 22 Ill. Reg. 22059, effective January 1, 1999; amended at 25 Ill. Reg. 7731, effective June 6, 2001; emergency amendment at 25 Ill. Reg.

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

14201, effective October 22, 2001, for a maximum of 150 days; emergency expired March 20, 2002; amended at 26 Ill. Reg. 14282, effective September 16, 2002; amended at 27 Ill. Reg. 4790, effective February 27, 2003; amended at 29 Ill. Reg. 8915, effective June 10, 2005; amended at 31 Ill. Reg. 2668, effective January 29, 2007; amended at 32 Ill. Reg. 17253, effective October 15, 2008; amended at 32 Ill. Reg. 17590, effective October 16, 2008; amended at 34 Ill. Reg. 3673, effective March 5, 2010; amended at 34 Ill. Reg. 10202, effective June 29, 2010; amended at 35 Ill. Reg. 1652, effective January 13, 2011; amended at 35 Ill. Reg. 8240, effective May 16, 2011; amended at 36 Ill. Reg. 7674, effective May 2, 2012; amended at 36 Ill. Reg. 14745, effective September 24, 2012; amended at 36 Ill. Reg. 17094, effective November 20, 2012; emergency amendment at 36 Ill. Reg. 17580, effective November 28, 2012, for a maximum of 150 days; amended at 37 Ill. Reg. 4340, effective March 22, 2013; amended at 37 Ill. Reg. 8941, effective June 14, 2013; amended at 37 Ill. Reg. 12578, effective July 17, 2013; amended at 39 Ill. Reg. 5106, effective March 20, 2015; amended at 42 Ill. Reg. 212, effective December 19, 2017; amended at 42 Ill. Reg. 14450, effective July 23, 2018; amended at 43 Ill. Reg. 3945, effective March 15, 2019; amended at 44 Ill. Reg. 2014, effective December 31, 2019; emergency amendment at 44 Ill. Reg. 5831, effective March 17, 2020, for a maximum of 150 days.

SUBPART G: MISCELLANEOUS

Section 1010.630 Extension of Expiration Dates
EMERGENCY

- a) Pursuant to the powers vested in him by Section 2-104(b) of the Illinois Vehicle Code, and pursuant to the provisions of Executive Order No. 2020-08 issued on March 17, 2020, the Secretary of State hereby extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter the expiration dates of all vehicle registrations which expire on or after March 17, 2020, including but not limited to those set forth in the following statutes:

625 ILCS 5/3-414
625 ILCS 5/3-414.1
625 ILCS 5/3-414.5
625 ILCS 5/3-402.1
625 ILCS 5/3-407

- b) To be eligible for such extension, the vehicle must be otherwise eligible for registration. This extension period may be rescinded by the Secretary of State

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

through the adoption of an emergency rule. Any fees for the late filing of vehicle registrations shall be waived for any vehicles subject to this Section.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5831, effective March 17, 2020, for a maximum of 150 days)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Issuance of Licenses
- 2) Code Citation: 92 Ill. Adm. Code 1030
- 3) Section Number: 1030.160 Emergency Action: New Section
- 4) Statutory Authority: 625 ILCS 5/2-104(b) and 15 ILCS 335/2(b)(2)
- 5) Effective Date of Emergency Rule: March 17, 2020
- 6) If this emergency amendment will expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days or the date on which the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, terminates, whichever occurs first.
- 7) Date Filed with the Index Department: March 17, 2020
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to the COVID-19 virus and the recommendations of health and safety experts, all Secretary of State Driver Service facilities will be closed effective Tuesday, March 17, 2020.
- 10) A Complete Description of the Subject and Issues Involved: This rulemaking extends the expiration dates of all driver's licenses, instruction permits, permits and identification cards for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter.
- 11) Are there any rulemakings to this Part pending? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 13) Information and questions regarding this emergency amendment shall be directed to:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Brenda Glahn
Senior Legal Advisor
298 Howlett Building
Springfield IL 62756

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The full text of the Emergency Amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATEPART 1030
ISSUANCE OF LICENSES

Section	
1030.1	Definitions
1030.5	Procedure for Obtaining a Standard Driver's License or Identification Card
1030.6	Procedure for Obtaining a Visa Status Temporary Visitor's Driver's License Pursuant to IVC Section 6-105.1(a)
1030.7	Procedure for Obtaining a Non-Visa Status Temporary Visitor's Driver's License Pursuant to IVC Section 6-105.1(a-5)
1030.8	Procedure for Obtaining a Real ID Compliant Driver's License or Identification Card
1030.10	What Persons Shall Not Be Licensed or Granted Permits
1030.11	Procedure for Obtaining a Driver's License/Temporary Visitor's Driver's License (Renumbered)
1030.12	Identification Cards for the Homeless
1030.13	Denial of License or Permit
1030.14	Emergency Contact Database
1030.15	Cite for Re-testing
1030.16	Physical and Mental Evaluation
1030.17	Errors in Issuance of Driver's License/Cancellation
1030.18	Medical Criteria Affecting Driver Performance
1030.20	Classification of Drivers – References (Repealed)
1030.22	Medical Examiner's Certificate – CLP or CDL Holders
1030.25	Safe Driver License Renewals
1030.26	Identification Cards for IDOC/IDJJ Applicants
1030.27	Identification Cards for Youth in Care
1030.30	Classification Standards
1030.40	Fifth Wheel Equipped Trucks
1030.50	Bus Driver's Authority, Religious Organization and Senior Citizen Transportation
1030.55	Commuter Van Driver Operating a For-Profit Ridesharing Arrangement
1030.60	Third-Party Certification Program
1030.63	Religious Exemption for Social Security Numbers (Repealed)
1030.65	Instruction Permits
1030.66	Adult Driver Education
1030.70	Driver's License Testing/Vision Screening

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

1030.75	Driver's License Testing/Vision Screening With Vision Aid Arrangements Other Than Standard Eye Glasses or Contact Lenses
1030.80	Driver's License Testing/Written Test
1030.81	Endorsements
1030.82	Charter Bus Driver Endorsement Requirements
1030.83	Hazardous Material Endorsement
1030.84	Vehicle Inspection
1030.85	Driver's License Testing/Road Test
1030.86	Multiple Attempts – Written and/or Road Tests
1030.88	Exemption of Facility Administered Road Test
1030.89	Temporary Driver's Licenses and Temporary Instruction Permits
1030.90	Requirement for Photograph and Signature of Licensee on Driver's License
1030.91	Person with a Disability Identification Card
1030.92	Restrictions
1030.93	Restricted Local Licenses
1030.94	Duplicate or Corrected Driver's License or Instruction Permit
1030.95	Consular Licenses (Repealed)
1030.96	Seasonal Restricted Commercial Driver's License
1030.97	Invalidation of a Driver's License, Permit and/or Driving Privilege
1030.98	School Bus Endorsement or Learner's Permit
1030.100	Anatomical Gift Donor (Repealed)
1030.110	Emergency Medical Information Card
1030.115	Change-of-Address
1030.120	Issuance of a Probationary License
1030.130	Grounds for Cancellation of a Probationary License
1030.140	Use of Captured Images
1030.150	Veteran Designation on Driver's License or Identification Card
1030.160	Extension of Expiration Dates

[EMERGENCY](#)

1030.APPENDIX A	Questions Asked of a Driver's License Applicant
1030.APPENDIX B	Acceptable Identification Documents – Applicants for a Standard Identification Card, Driver's License, Instruction Permit, Visa Status Temporary Visitor's Driver's License Pursuant to IVC Section 6-105.1(a) or Visa Status Temporary Visitor's Instruction Permit (Non-Real ID)
1030.APPENDIX C	Acceptable Identification Documents – Applicants for a Non-Visa Status Temporary Visitor's Driver's License or Non-Visa Status Temporary Visitor's Instruction Permit Pursuant to IVC Section 6-

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

105.1(a-5)

1030.APPENDIX D Acceptable Identification Documents – Applicants for a Real ID
Compliant Driver's License or Identification Card

AUTHORITY: Implementing Article I of the Illinois Driver Licensing Law of the Illinois Vehicle Code [625 ILCS 5/Ch. 6, Art. I] and authorized by Section 2-104(b) of the Illinois Vehicle Title and Registration Law of the Illinois Vehicle Code [625 ILCS 5] and Section 2(b)(2) of the Illinois Identification Card Act [15 ILCS 335].

SOURCE: Filed March 30, 1971; amended at 3 Ill. Reg. 7, p. 13, effective April 2, 1979; amended at 4 Ill. Reg. 27, p. 422, effective June 23, 1980; amended at 6 Ill. Reg. 2400, effective February 10, 1982; codified at 6 Ill. Reg. 12674; amended at 9 Ill. Reg. 2716, effective February 20, 1985; amended at 10 Ill. Reg. 303, effective December 24, 1985; amended at 10 Ill. Reg. 15130, effective September 2, 1986; amended at 10 Ill. Reg. 18182, effective October 14, 1986; amended at 11 Ill. Reg. 9331, effective April 28, 1987; amended at 11 Ill. Reg. 18292, effective October 23, 1987; amended at 12 Ill. Reg. 3027, effective January 14, 1988; amended at 12 Ill. Reg. 13221, effective August 1, 1988; amended at 12 Ill. Reg. 16915, effective October 1, 1988; amended at 12 Ill. Reg. 19777, effective November 15, 1988; amended at 13 Ill. Reg. 5192, effective April 1, 1989; amended at 13 Ill. Reg. 7808, effective June 1, 1989; amended at 13 Ill. Reg. 12880, effective July 19, 1989; amended at 13 Ill. Reg. 12978, effective July 19, 1989; amended at 13 Ill. Reg. 13898, effective August 22, 1989; amended at 13 Ill. Reg. 15112, effective September 8, 1989; amended at 13 Ill. Reg. 17095, effective October 18, 1989; amended at 14 Ill. Reg. 4570, effective March 8, 1990; amended at 14 Ill. Reg. 4908, effective March 9, 1990; amended at 14 Ill. Reg. 5183, effective March 21, 1990; amended at 14 Ill. Reg. 8707, effective May 16, 1990; amended at 14 Ill. Reg. 9246, effective May 16, 1990; amended at 14 Ill. Reg. 9498, effective May 17, 1990; amended at 14 Ill. Reg. 10111, effective June 11, 1990; amended at 14 Ill. Reg. 10510, effective June 18, 1990; amended at 14 Ill. Reg. 12077, effective July 5, 1990; amended at 14 Ill. Reg. 15487, effective September 10, 1990; amended at 15 Ill. Reg. 15783, effective October 18, 1991; amended at 16 Ill. Reg. 2182, effective January 24, 1992; emergency amendment at 16 Ill. Reg. 12228, effective July 16, 1992, for a maximum of 150 days; emergency expired on December 13, 1992; amended at 16 Ill. Reg. 18087, effective November 17, 1992; emergency amendment at 17 Ill. Reg. 1219, effective January 13, 1993, for a maximum of 150 days; amended at 17 Ill. Reg. 2025, effective February 1, 1993; amended at 17 Ill. Reg. 7065, effective May 3, 1993; amended at 17 Ill. Reg. 8275, effective May 24, 1993; amended at 17 Ill. Reg. 8522, effective May 27, 1993; amended at 17 Ill. Reg. 19315, effective October 22, 1993; amended at 18 Ill. Reg. 1591, effective January 14, 1994; amended at 18 Ill. Reg. 7478, effective May 2, 1994; amended at 18 Ill. Reg. 16457, effective October 24, 1994; amended at 19 Ill. Reg. 10159, effective June 29, 1995; amended at 20 Ill. Reg. 3891, effective February 14, 1996; emergency amendment at 20 Ill. Reg. 8358, effective June 4, 1996, for a

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

maximum of 150 days; emergency amendment repealed in response to an objection of the Joint Committee on Administrative Rules at 20 Ill. Reg. 14279; amended at 21 Ill. Reg. 6588, effective May 19, 1997; amended at 21 Ill. Reg. 10992, effective July 29, 1997; amended at 22 Ill. Reg. 1466, effective January 1, 1998; emergency amendment at 23 Ill. Reg. 9552, effective August 1, 1999, for a maximum of 150 days; amended at 23 Ill. Reg. 13947, effective November 8, 1999; amended at 24 Ill. Reg. 1259, effective January 7, 2000; emergency amendment at 24 Ill. Reg. 1686, effective January 13, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 6955, effective April 24, 2000; emergency amendment at 24 Ill. Reg. 13044, effective August 10, 2000, for a maximum of 150 days; amended at 24 Ill. Reg. 18400, effective December 4, 2000; amended at 25 Ill. Reg. 959, effective January 5, 2001; amended at 25 Ill. Reg. 7742, effective June 5, 2001; amended at 25 Ill. Reg. 12646, effective September 24, 2001; emergency amendment at 25 Ill. Reg. 12658, effective September 24, 2001, for a maximum of 150 days; emergency expired February 20, 2002; amended at 26 Ill. Reg. 9961, effective June 24, 2002; amended at 27 Ill. Reg. 855, effective January 3, 2003; emergency amendment at 27 Ill. Reg. 7340, effective April 14, 2003, for a maximum of 150 days; emergency expired September 10, 2003; emergency amendment at 27 Ill. Reg. 16968, effective October 17, 2003, for a maximum of 150 days; emergency expired March 14, 2004; emergency amendment at 28 Ill. Reg. 384, effective January 1, 2004, for a maximum of 150 days; emergency expired May 29, 2004; amended at 28 Ill. Reg. 8895, effective June 14, 2004; amended at 28 Ill. Reg. 10776, effective July 13, 2004; amended at 29 Ill. Reg. 920, effective January 1, 2005; emergency amendment at 29 Ill. Reg. 2469, effective January 31, 2005, for a maximum of 150 days; emergency expired June 29, 2005; amended at 29 Ill. Reg. 9488, effective June 17, 2005; amended at 29 Ill. Reg. 12519, effective July 28, 2005; amended at 29 Ill. Reg. 13237, effective August 11, 2005; amended at 29 Ill. Reg. 13580, effective August 16, 2005; amended at 30 Ill. Reg. 910, effective January 6, 2006; amended at 30 Ill. Reg. 5621, effective March 7, 2006; amended at 30 Ill. Reg. 11365, effective June 15, 2006; emergency amendment at 30 Ill. Reg. 11409, effective June 19, 2006, for a maximum of 150 days; emergency expired November 15, 2006; amended at 31 Ill. Reg. 4782, effective March 12, 2007; amended at 31 Ill. Reg. 5096, effective March 15, 2007; amended at 31 Ill. Reg. 5864, effective March 29, 2007; amended at 31 Ill. Reg. 6370, effective April 12, 2007; amended at 31 Ill. Reg. 7643, effective May 16, 2007; amended at 31 Ill. Reg. 11342, effective July 18, 2007; amended at 31 Ill. Reg. 14547, effective October 9, 2007; amended at 31 Ill. Reg. 14849, effective October 22, 2007; amended at 31 Ill. Reg. 16543, effective November 27, 2007; amended at 31 Ill. Reg. 16843, effective January 1, 2008; emergency amendment at 32 Ill. Reg. 208, effective January 2, 2008, for a maximum of 150 days; amended at 32 Ill. Reg. 6544, effective April 4, 2008; amended at 33 Ill. Reg. 2391, effective January 21, 2009; amended at 33 Ill. Reg. 8489, effective June 5, 2009; amended at 33 Ill. Reg. 9794, effective June 29, 2009; amended at 33 Ill. Reg. 11620, effective July 22, 2009; amended at 33 Ill. Reg. 14185, effective September 28, 2009; amended at 34 Ill. Reg. 563, effective December 22, 2009; amended at 34 Ill. Reg. 9457, effective June 23, 2010; amended at

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

34 Ill. Reg. 15418, effective September 22, 2010; amended at 34 Ill. Reg. 19071, effective November 22, 2010; amended at 35 Ill. Reg. 2197, effective January 21, 2011; amended at 35 Ill. Reg. 4692, effective March 3, 2011; amended at 35 Ill. Reg. 19664, effective November 23, 2011; amended at 36 Ill. Reg. 3924, effective February 27, 2012; amended at 36 Ill. Reg. 7255, effective April 26, 2012; amended at 36 Ill. Reg. 14755, effective September 18, 2012; amended at 37 Ill. Reg. 7776, effective May 22, 2013; amended at 37 Ill. Reg. 14176, effective September 1, 2013; amended at 37 Ill. Reg. 19342, effective November 28, 2013; amended at 38 Ill. Reg. 7946, effective March 28, 2014; emergency amendment at 38 Ill. Reg. 8429, effective April 4, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 12515, effective July 1, 2014; amended at 38 Ill. Reg. 16366, effective July 21, 2014; amended at 38 Ill. Reg. 20039, effective October 1, 2014; amended at 39 Ill. Reg. 1182, effective January 5, 2015; amended at 39 Ill. Reg. 5083, effective March 23, 2015; amended at 39 Ill. Reg. 8028, effective May 21, 2015; amended at 39 Ill. Reg. 11531, effective July 28, 2015; amended at 39 Ill. Reg. 14930, effective October 29, 2015; amended at 40 Ill. Reg. 1882, effective January 12, 2016; amended at 40 Ill. Reg. 7330, effective May 2, 2016; amended at 40 Ill. Reg. 13637, effective September 19, 2016; amended at 40 Ill. Reg. 15397, effective October 26, 2016; amended at 41 Ill. Reg. 438, December 29, 2016; amended at 41 Ill. Reg. 3009, effective February 24, 2017; amended at 41 Ill. Reg. 13665, effective October 30, 2017; amended at 42 Ill. Reg. 1886, effective January 3, 2018; amended at 42 Ill. Reg. 2891, effective January 29, 2018; amended at 42 Ill. Reg. 4969, effective March 5, 2018; amended at 42 Ill. Reg. 11499, effective June 8, 2018; amended at 42 Ill. Reg. 20548, effective October 30, 2018; amended at 43 Ill. Reg. 3724, effective March 4, 2019; amended at 43 Ill. Reg. 5322, effective April 24, 2019; amended at 44 Ill. Reg. 2041, effective December 31, 2019; emergency amendment at 44 Ill. Reg. 5477, effective March 16, 2020, for a maximum of 150 days; emergency amendment at 44 Ill. Reg. 5839, effective March 17, 2020, for a maximum of 150 days.

Section 1030.160 Extension of Expiration Dates
EMERGENCY

- a) Pursuant to the powers vested in him by Section 2-104(b) of the Illinois Vehicle Code and Section 2(b)(2) of the Illinois Identification Card Act, and pursuant to the provisions of Executive Order No. 2020-08, issued on March 17, 2020, the Secretary of State hereby extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter the expiration dates of any driver's licenses, instruction permits, permits and identification cards which expire on or after March 17, 2020, including but not limited to those set forth in the following statutes:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

[625 ILCS 5/6-105](#)

[625 ILCS 5/6-105.1](#)

[625 ILCS 5/6-107.1](#)

[625 ILCS 5/6-107.4](#)

[625 ILCS 5/6-115](#)

[625 ILCS 5/6-205](#)

[625 ILCS 5/6-206.1](#)

[625 ILCS 5/6-507.5](#)

[625 ILCS 5/6-106.1](#)

[625 ILCS 5/6-113\(c\)](#)

[15 ILCS 335/4](#)

[15 ILCS 335/8](#)

- b) [To be eligible for such extension, the person's driver's license, instruction permit, permit or identification card must be valid as of the date of this emergency rulemaking. All conditions and restrictions under which the driver's licenses, instruction permits, permits and identification cards were issued shall remain in full force and effect during the period of this extension. This extension period may be rescinded by the Secretary of State through the adoption of an emergency rule.](#)

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5839, effective March 17, 2020, for a maximum of 150 days)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

- 1) Heading of the Part: Rules of the Road – Persons with Disabilities Parking Program
- 2) Code Citation: 92 Ill. Adm. Code 1100
- 3) Section Number: 1100.50 Emergency Action: New Section
- 4) Statutory Authority: 625 ILCS 5/2-104(b)
- 5) Effective Date of Emergency Rule: March 17, 2020
- 6) If this emergency amendment will expire before the end of the 150-day period, please specify the date on which it is to expire: This emergency rule will expire at the end of 150 days or the date on which the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, terminates, whichever occurs first.
- 7) Date Filed with the Index Department: March 17, 2020
- 8) A copy of the emergency amendment, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: Due to the COVID-19 virus and the recommendations of health and safety experts, all Secretary of State Driver Service facilities will be closed effective Tuesday, March 17, 2020.
- 10) A Complete Description of the Subject and Issues Involved: This emergency rulemaking extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter the expiration dates of all person with disabilities motorist decal or device.
- 11) Are there any rulemakings to this Part pending? No
- 12) Statement of Statewide Policy Objective: This rulemaking does not create or enlarge a mandate as described in Section 3(b) of the State Mandates Act.
- 13) Information and questions regarding this emergency rule shall be directed to:

Brenda Glahn

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Senior Legal Advisor
298 Howlett Building
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The full text of the Emergency Amendment begins on the next page:

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

TITLE 92: TRANSPORTATION
CHAPTER II: SECRETARY OF STATE

PART 1100

RULES OF THE ROAD – PERSONS WITH DISABILITIES PARKING PROGRAM

Section

- 1100.5 Definitions
- 1100.10 Application Procedures for Plates and Decals or Devices
- 1100.15 Authorized Issuing Agents for Person with Disabilities Parking Decals or Devices
- 1100.20 Person with Disabilities Parking Decals or Devices
- 1100.25 Random Professional License Number Checks with the Department of Financial and Professional Regulation
- 1100.30 Corporations, School Districts and Special Education Cooperatives
- 1100.35 Revocation of Plates and Decals or Devices
- 1100.40 Revocation Authority for Plates and Decals or Devices (Repealed)
- [1100.50 Extension of Expiration Dates](#)

[EMERGENCY](#)

AUTHORITY: Implementing and authorized by Sections 2-104(b) and 3-616 of the Illinois Vehicle Title and Registration Law and Section 11-1301.2 of the Illinois Rules of the Road [625 ILCS 5].

SOURCE: Adopted at 4 Ill. Reg. 11, p. 74, effective February 29, 1980; codified at 6 Ill. Reg. 12703; amended at 9 Ill. Reg. 12868, effective August 2, 1985; amended at 12 Ill. Reg. 8448, effective May 2, 1988; old Part repealed and new Part adopted at 22 Ill. Reg. 2280, effective January 1, 1998; amended at 30 Ill. Reg. 917, effective January 6, 2006; amended at 37 Ill. Reg. 19866, effective November 27, 2013; emergency amendment at 44 Ill. Reg. 5847, effective March 17, 2020, for a maximum of 150 days.

[Section 1100.50 Extension of Expiration Dates](#)[EMERGENCY](#)

[Pursuant to the powers vested in him by Section 2-104\(b\) of the Illinois Vehicle Code, and pursuant to the provisions of Executive Order No. 2020-08 issued on March 17, 2020, the Secretary of State hereby extends for the duration of the disaster proclaimed by the Governor in Gubernatorial Proclamation number 2020-038 issued on March 9, 2020, and for a period of 30 days thereafter the expiration dates of any person with disabilities motorist decal or device which expires on or after March 17, 2020, issued pursuant to Sec. 11-1301.2 of the Illinois Vehicle](#)

SECRETARY OF STATE

NOTICE OF EMERGENCY AMENDMENT

Code. This extension period may be rescinded by the Secretary of State through the adoption of an emergency rule.

(Source: Added by emergency rulemaking at 44 Ill. Reg. 5847, effective March 17, 2020, for a maximum of 150 days).

JOINT COMMITTEE ON ADMINISTRATIVE RULES

SECOND NOTICES RECEIVED

The following second notices were received during the period of March 17, 2020 through March 23, 2020. These rulemakings are scheduled for the April 21, 2020 meeting. Other items not contained in this published list may also be considered. Members of the public wishing to express their views with respect to a rulemaking should submit written comments to the Committee at the following address: Joint Committee on Administrative Rules, 700 Stratton Bldg., Springfield IL 62706.

Second Notice Expires	Agency and Rule	Start of First Notice	JCAR Meeting
4/29/20	<u>State Board of Education</u> , Driver Education (23 Ill. Adm. Code 252)	11/22/19 43 Ill. Reg. 13384	4/21/20
5/1/20	<u>Illinois Gaming Board</u> , Riverboat and Casino Gambling (86 Ill. Adm. Code 3000)	1/24/20 44 Ill. Reg. 1752	4/21/20
5/6/20	<u>Department on Aging</u> , Community Care Program (89 Ill. Adm. Code 240)	1/24/20 44 Ill. Reg. 1724	4/21/20

EXECUTIVE ORDERS

2020-8

**EXECUTIVE ORDER IN RESPONSE TO COVID-19
(COVID-19 EXECUTIVE ORDER NO. 6)**

WHEREAS, in late 2019, a new and significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged; and,

WHEREAS, COVID-19 is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to those of influenza; and,

WHEREAS, certain populations are at higher risk of experiencing more severe illness as a result of COVID-19, including older adults and people who have serious chronic medical conditions such as heart disease, diabetes, or lung disease; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization and the Center for Disease Control (CDC) indicate that it is expected to spread; and,

WHEREAS, in communities with confirmed COVID-19 cases, the CDC currently recommends mitigation measures, including practicing social distancing, staying at home when sick, staying home when a household member is sick with respiratory disease symptoms or when instructed to do so by public health officials or a health care provider, and keeping away from others who are sick; and,

WHEREAS, State agencies have been directed to temporarily reduce activities and workforce to core mission functions and essential operations, encouraging working remotely where possible; and,

WHEREAS, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 ("Gubernatorial Disaster Proclamation"); and,

WHEREAS, on March 11, 2020, the World Health Organization characterized the COVID-19 outbreak as a pandemic; and,

WHEREAS, it is necessary and appropriate for the State of Illinois to immediately take measures to protect the public's health in response to this COVID-19 outbreak;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, and pursuant to Sections 7(1), 7(8), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, I hereby order the following:

EXECUTIVE ORDERS

Section 1. During the duration of the Gubernatorial Disaster Proclamation and for a period of thirty days following its termination, the following statutory provisions are suspended: (1) provisions of the Illinois Vehicle Code, 625 ILCS 5, providing for the expiration of vehicle registrations, driver's licenses, permits, and parking decals issued by the Secretary of State; (2) provisions of the Illinois Identification Card Act, 15 ILCS 335, providing for the expiration of temporary and standard identification cards issued by the Secretary of State; and (3) hearings conducted by the Secretary of State pursuant to the Illinois Vehicle Code, 625 ILCS 5/2-118, and the Secretary of State Merit Employment Code, 15 ILCS 310/9.

Section 2. The provisions of Article 4A of the Illinois Governmental Ethics Act, 5 ILCS 420/4A, and Section IV of Executive Order 2015-09, providing for the filing of statements of economic interests are suspended during the duration of the Gubernatorial Disaster Proclamation and for thirty days following its termination.

Issued by the Governor March 17, 2020

Filed by the Secretary of State March 17, 2020

2020-9

**EXECUTIVE ORDER TO EXPAND TELEHEALTH SERVICES
AND PROTECT HEALTH CARE PROVIDERS IN RESPONSE TO COVID-19
(COVID-19 EXECUTIVE ORDER NO. 7)**

WHEREAS, in late 2019, a new and significant outbreak of Coronavirus Disease 2019 (COVID-19) emerged; and,

WHEREAS, COVID-19 is a novel severe acute respiratory illness that can spread among people through respiratory transmissions and present with symptoms similar to influenza; and,

WHEREAS, certain populations are at a higher risk of experiencing more severe illness as a result of COVID-19, including older adults and people who have serious chronic health conditions such as heart disease, diabetes, lung disease or other mental or physical conditions; and,

WHEREAS, despite efforts to contain COVID-19, the World Health Organization (WHO) and the federal Centers for Disease Control and Prevention (CDC) have declared that it is expected to spread; and

WHEREAS, in communities with confirmed COVID-19 cases, the CDC currently recommends mitigation measures, including practicing social distancing, staying at home when sick, staying home when a household member is sick with respiratory disease symptoms or when instructed to

EXECUTIVE ORDERS

do so by public health officials or a healthcare provider, and keeping away from others who are sick; and

WHEREAS, social distancing, which consists of maintaining at least a six-foot distance between people, is the paramount strategy for minimizing the spread of COVID-19 in our communities; and

WHEREAS, the CDC, taking note of a need to reduce unnecessary healthcare visits and prevent transmission of respiratory viruses at healthcare facilities, currently recommends that healthcare providers increase the use of telehealth systems, formal or otherwise, to assess and care for patients to decrease the volume of persons seeking care in facilities; and

WHEREAS, the CDC currently recommends that health plans, healthcare systems, and insurers or other payors message beneficiaries to promote the availability of covered telehealth, telemedicine, or nurse advice line services; and

WHEREAS, in response to the COVID-19 outbreak, which also constitutes a nationwide public health emergency, covered health care providers and entities subject to the Illinois Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110, may seek to communicate with patients and provide telehealth services through remote communications technologies, and some of these technologies and the manner in which they are used by health care providers or covered entities may not fully comply with the statutory requirements; and

WHEREAS, the U.S. Department of Health and Human Services – Office of Civil Rights has issued a Notice of Enforcement Discretion for telehealth remote communications in response to the COVID-19 outbreak, which temporarily expands the non-public facing audio or video communication products that may be used for telehealth services without being subject to enforcement actions under the federal Health Insurance Portability and Accountability Act of 1996; and

WHEREAS, the current testing availability has identified further spread of confirmed cases throughout the State of Illinois, and it is expected that increased testing capacity would demonstrate that COVID-19 is circulating in communities across Illinois that currently have not identified a confirmed case; and,

WHEREAS, the ongoing spread of COVID-19 and the danger the virus poses to the public's health and wellness requires an expansion of the healthcare workforce to ensure there are sufficient practitioners to help support the healthcare response to the COVID-19 pandemic in Illinois; and

EXECUTIVE ORDERS

WHEREAS, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 ("Gubernatorial Disaster Proclamation"); and,

WHEREAS, on March 11, 2020, WHO characterized COVID-19 as a pandemic; and,

WHEREAS, it is necessary and appropriate for the State of Illinois to immediately take measures to promote and secure the safety and protection of the civilian population in response to this COVID-19 outbreak including measures to ensure the provision and coverage of health care services while the public and health care providers are subjected to quarantine;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, and pursuant to Sections 7(1), 7(8), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, I hereby Order the following:

Section 1. "Telehealth Services" shall be defined to include the provision of health care, psychiatry, mental health treatment, substance use disorder treatment, and related services to a patient, regardless of their location, through electronic or telephonic methods, such as telephone (landline or cellular), video technology commonly available on smart phones and other devices such as FaceTime, Facebook Messenger video chat, Google Hangouts video, or Skype, and videoconferencing, as well as any method within the meaning of "telehealth services" under Section 356z.22 of the Illinois Insurance Code, 215 ILCS 5. "Health insurance coverage" and "health insurance issuer" shall have the meanings given in Section 5 of the Illinois Health Insurance Portability and Accountability Act, 215 ILCS 97.

Section 2. Beginning March 19, 2020 and continuing for the duration of the Gubernatorial Disaster Proclamation, in order to protect the public's health, to permit expedited treatment of health conditions during the COVID-19 pandemic, and to mitigate its impact upon the residents of the State of Illinois, all health insurance issuers regulated by the Department of Insurance are hereby required to cover the costs of all Telehealth Services rendered by in-network providers to deliver any clinically appropriate, medically necessary covered services and treatments to insureds, enrollees, and members under each policy, contract, or certificate of health insurance coverage. Issuers may establish reasonable requirements and parameters for Telehealth Services, including with respect to documentation and recordkeeping, to the extent consistent with this Executive Order or any company bulletin subsequently issued by the Department of Insurance under this Executive Order. An issuer's requirements and parameters may not be more restrictive or less favorable toward providers, insureds, enrollees, or members than those contained in the emergency rulemaking undertaken by the Department of Healthcare and Family Services at 89 Ill. Adm. Code 140.403(e). Issuers shall notify providers of any instructions necessary to facilitate billing for Telehealth Services.

EXECUTIVE ORDERS

Section 3. In order to ensure that health care is quickly and efficiently provided to the public, health insurance issuers shall not impose upon Telehealth Services utilization review requirements that are unnecessary, duplicative, or unwarranted, nor impose any treatment limitations that are more stringent than the requirements applicable to the same health care service when rendered in-person. For Telehealth Services delivered by in-network providers that relate to COVID-19, health insurance issuers shall not impose any prior authorization requirements.

Section 4. Health insurance issuers shall not impose any cost-sharing (copayments, deductibles, or coinsurance) for Telehealth Services provided by in-network providers. However, in accordance with the standards and definitions in 26 U.S.C. 223, if an enrollee in a "high-deductible health plan" has not met the applicable deductible under the terms of their coverage, the requirements of this Section do not require an issuer to pay for a charge for Telehealth Services unless the associated health care service for that particular charge is deemed "preventive care" by the United States Treasury. The federal Internal Revenue Service recently has recognized that services for testing, treatment, and any potential vaccination for COVID-19 fall within the scope of "preventive care."

Section 5. Telehealth Services subject to this Executive Order's coverage requirements may be provided by any in-network physicians, physician assistants, optometrists, advanced practice registered nurses, clinical psychologists, prescribing psychologists, dentists, occupational therapists, pharmacists, physical therapists, clinical social workers, speech-language pathologists, audiologists, hearing instrument dispensers, other mental health providers, and other substance use disorder treatment providers, as long as they are licensed, registered, certified, or authorized to practice in the State of Illinois, regardless of whether or not the in-network provider was originally established prior to the COVID-19 pandemic in any designated telehealth network for the policy, contract, or certificate of health insurance coverage. Existing insurance law requirements regarding coverage of treatments based on licensure apply, such as the coverage requirements for treatment of autism spectrum disorders contained in Section 356z.14 of the Illinois Insurance Code, 215 ILCS 5.

Section 6. This Executive Order does not apply to "excepted benefits" as defined by 45 C.F.R. 146.145(b) and 45 C.F.R. 148.220, but does apply to limited scope dental benefits, limited scope vision benefits, long-term care benefits, coverage only for accidents, or coverage only for specified disease or illness. This Executive Order applies to short-term, limited-duration health insurance coverage, fully insured student health insurance coverage, and fully insured association health plans except with respect to excepted benefits as provided above. Any policy, contract, or certificate of health insurance coverage that does not distinguish between in-network and out-of-network providers shall be subject to this Executive Order as though all providers were in-network.

EXECUTIVE ORDERS

Section 7. The Department of Insurance may provide additional guidance and implement rules consistent with the terms of this Executive Order.

Section 8. Beginning March 19, 2020 and continuing for the duration of the Gubernatorial Disaster Proclamation, the following statutory limitations pursuant to Section 5 of Illinois' Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110/5, are suspended for the provision of Telehealth Services to mental health and developmental disability patients in Illinois:

The disclosure prohibitions as to records and communications pursuant to 740 ILCS 110/5(a).
The written consent provisions pursuant to 740 ILCS 110/5(b).

Section 9. A covered health care provider and/or covered entity subject to the requirements of the Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110, that uses audio or video communication technology to provide Telehealth Services to mental health and developmental disability patients may use any non-public facing remote communication product in accordance with Section 1 of this Executive Order for the duration of the Gubernatorial Disaster Proclamation. This exercise of discretion applies to Telehealth Service providers or covered entities for any reason, regardless of whether the Telehealth Service concerns the diagnosis and treatment of health conditions related to COVID-19. Providers and covered entities should, to the extent feasible, notify patients that third-party applications potentially introduce privacy risks. Providers should enable all available encryption and privacy modes when using such applications. Facebook Live, Twitch, TikTok, and similar video communication applications which are public facing should not be used in the provision of telehealth by covered health care providers or covered entities.

Section 10. During the duration of the Gubernatorial Disaster Proclamation, the following requirements of the Medical Practice Act of 1987, 225 ILCS 60/21, for reinstatement of a license are suspended for licensees whose licenses have been lapsed or inactive for less than three years: (1) proof of meeting continuing education requirements for one renewal period; and (2) payment of a reinstatement fee.

Issued by the Governor March 19, 2020
Filed by the Secretary of State March 19, 2020

2020-10
EXECUTIVE ORDER IN RESPONSE TO COVID-19
(COVID-19 EXECUTIVE ORDER NO. 8)

EXECUTIVE ORDERS

WHEREAS, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 (Gubernatorial Disaster Proclamation) in response to the outbreak of Coronavirus Disease 2019 (COVID-19); and,

WHEREAS, in a short period of time, COVID-19 has rapidly spread throughout Illinois, necessitating updated and more stringent guidance from federal, state, and local public health officials; and,

WHEREAS, for the preservation of public health and safety throughout the entire State of Illinois, and to ensure that our healthcare delivery system is capable of serving those who are sick, I find it necessary to take additional measures consistent with public health guidance to slow and stop the spread of COVID-19;

WHEREAS, COVID-19 has resulted in significant economic impact, including loss of income and wages, that threaten to undermine housing security and stability;

WHEREAS, the enforcement of eviction orders for residential premises is contrary to the interest of preserving public health and ensuring that individuals remain in their homes during this public health emergency;

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, and pursuant to Sections 7(1), 7(2), 7(8), 7(10), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following, effective March 21, 2020 at 5:00 pm and for the remainder of the duration of the Gubernatorial Disaster Proclamation, which currently extends through April 7, 2020:

Section 1. Stay at Home; Social Distancing Requirements; and Essential Businesses and Operations

1. **Stay at home or place of residence.** With exceptions as outlined below, all individuals currently living within the State of Illinois are ordered to stay at home or at their place of residence except as allowed in this Executive Order. To the extent individuals are using shared or outdoor spaces when outside their residence, they must at all times and as much as reasonably possible maintain social distancing of at least six feet from any other person, consistent with the Social Distancing Requirements set forth in this Executive Order. All persons may leave their homes or place of residence only for Essential Activities, Essential Governmental Functions, or to operate Essential Businesses and Operations, all as defined below.

Individuals experiencing homelessness are exempt from this directive, but are strongly urged to obtain shelter, and governmental and other entities are strongly urged to make

EXECUTIVE ORDERS

such shelter available as soon as possible and to the maximum extent practicable (and to use in their operation COVID-19 risk mitigation practices recommended by the U.S. Centers for Disease Control and Prevention (CDC) and the Illinois Department of Public Health (IDPH)). Individuals whose residences are unsafe or become unsafe, such as victims of domestic violence, are permitted and urged to leave their home and stay at a safe alternative location. For purposes of this Executive Order, homes or residences include hotels, motels, shared rental units, shelters, and similar facilities.

2. **Non-essential business and operations must cease.** All businesses and operations in the State, except Essential Businesses and Operations as defined below, are required to cease all activities within the State except Minimum Basic Operations, as defined below. For clarity, businesses may also continue operations consisting exclusively of employees or contractors performing activities at their own residences (i.e., working from home).

All Essential Businesses and Operations are encouraged to remain open. To the greatest extent feasible, Essential Businesses and Operations shall comply with Social Distancing Requirements as defined in this Executive Order, including by maintaining six-foot social distancing for both employees and members of the public at all times, including, but not limited to, when any customers are standing in line.

3. **Prohibited activities.** All public and private gatherings of any number of people occurring outside a single household or living unit are prohibited, except for the limited purposes permitted by this Executive Order. Pursuant to current guidance from the CDC, any gathering of more than ten people is prohibited unless exempted by this Executive Order. Nothing in this Executive Order prohibits the gathering of members of a household or residence.

All places of public amusement, whether indoors or outdoors, including but not limited to, locations with amusement rides, carnivals, amusement parks, water parks, aquariums, zoos, museums, arcades, fairs, children's play centers, playgrounds, funplexes, theme parks, bowling alleys, movie and other theaters, concert and music halls, and country clubs or social clubs shall be closed to the public.

This Executive Order supersedes Section 2 of Executive Order 2020-07 (COVID-19 Executive Order No. 5), which prohibited gatherings of 50 people or more.

4. **Prohibited and permitted travel.** All travel, including, but not limited to, travel by automobile, motorcycle, scooter, bicycle, train, plane, or public transit, except Essential Travel and Essential Activities as defined herein, is prohibited. People riding on public transit must comply with Social Distancing Requirements to the greatest extent feasible.

EXECUTIVE ORDERS

This Executive Order allows travel into or out of the State to maintain Essential Businesses and Operations and Minimum Basic Operations.

5. **Leaving the home for essential activities is permitted.** For purposes of this Executive Order, individuals may leave their residence only to perform any of the following Essential Activities:
 - a. **For health and safety.** To engage in activities or perform tasks essential to their health and safety, or to the health and safety of their family or household members (including, but not limited to, pets), such as, by way of example only and without limitation, seeking emergency services, obtaining medical supplies or medication, or visiting a health care professional.
 - b. **For necessary supplies and services.** To obtain necessary services or supplies for themselves and their family or household members, or to deliver those services or supplies to others, such as, by way of example only and without limitation, groceries and food, household consumer products, supplies they need to work from home, and products necessary to maintain the safety, sanitation, and essential operation of residences.
 - c. **For outdoor activity.** To engage in outdoor activity, provided the individuals comply with Social Distancing Requirements, as defined below, such as, by way of example and without limitation, walking, hiking, running, or biking. Individuals may go to public parks and open outdoor recreation areas. However, playgrounds may increase spread of COVID-19, and therefore shall be closed.
 - d. **For certain types of work.** To perform work providing essential products and services at Essential Businesses or Operations (which, as defined below, includes Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure) or to otherwise carry out activities specifically permitted in this Executive Order, including Minimum Basic Operations.
 - e. **To take care of others.** To care for a family member, friend, or pet in another household, and to transport family members, friends, or pets as allowed by this Executive Order.
6. **Elderly people and those who are vulnerable as a result of illness should take additional precautions.** People at high risk of severe illness from COVID-19, including elderly people and those who are sick, are urged to stay in their residence to the extent possible except as necessary to seek medical care. Nothing in this Executive Order

EXECUTIVE ORDERS

prevents the Illinois Department of Public Health or local public health departments from issuing and enforcing isolation and quarantine orders pursuant to the Department of Public Health Act, 20 ILCS 2305.

7. **Healthcare and Public Health Operations.** For purposes of this Executive Order, individuals may leave their residence to work for or obtain services through Healthcare and Public Health Operations.

Healthcare and Public Health Operations includes, but is not limited to: hospitals; clinics; dental offices; pharmacies; public health entities, including those that compile, model, analyze and communicate public health information; pharmaceutical, pharmacy, medical device and equipment, and biotechnology companies (including operations, research and development, manufacture, and supply chain); organizations collecting blood, platelets, plasma, and other necessary materials; licensed medical cannabis dispensaries and licensed cannabis cultivation centers; reproductive health care providers; eye care centers, including those that sell glasses and contact lenses; home healthcare services providers; mental health and substance use providers; other healthcare facilities and suppliers and providers of any related and/or ancillary healthcare services; and entities that transport and dispose of medical materials and remains.

Specifically included in Healthcare and Public Health Operations are manufacturers, technicians, logistics, and warehouse operators and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals, blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products.

Healthcare and Public Health Operations also includes veterinary care and all healthcare services provided to animals.

Healthcare and Public Health Operations shall be construed broadly to avoid any impacts to the delivery of healthcare, broadly defined. Healthcare and Public Health Operations does not include fitness and exercise gyms, spas, salons, barber shops, tattoo parlors, and similar facilities.

8. **Human Services Operations.** For purposes of this Executive Order, individuals may leave their residence to work for or obtain services at any Human Services Operations, including any provider funded by the Illinois Department of Human Services, Illinois Department of Children and Family Services, or Medicaid that is providing services to the public and including state-operated, institutional, or community-based settings providing human services to the public.

EXECUTIVE ORDERS

Human Services Operations includes, but is not limited to: long-term care facilities; all entities licensed pursuant to the Child Care Act, 225 ILCS 10, except for day care centers, day care homes, group day care homes, and day care centers licensed as specified in Section 12(s) of this Executive Order; residential settings and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, and/or developmental disabilities, seniors, adults, and children; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals.

Human Services Operations shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined.

9. **Essential Infrastructure.** For purposes of this Executive Order, individuals may leave their residence to provide any services or perform any work necessary to offer, provision, operate, maintain and repair Essential Infrastructure.

Essential Infrastructure includes, but is not limited to: food production, distribution, and sale; construction (including, but not limited to, construction required in response to this public health emergency, hospital construction, construction of long-term care facilities, public works construction, and housing construction); building management and maintenance; airport operations; operation and maintenance of utilities, including water, sewer, and gas; electrical (including power generation, distribution, and production of raw materials); distribution centers; oil and biofuel refining; roads, highways, railroads, and public transportation; ports; cybersecurity operations; flood control; solid waste and recycling collection and removal; and internet, video, and telecommunications systems (including the provision of essential global, national, and local infrastructure for computing services, business infrastructure, communications, and web-based services).

Essential Infrastructure shall be construed broadly to avoid any impacts to essential infrastructure, broadly defined.

10. **Essential Governmental Functions.** For purposes of this Executive Order, all first responders, emergency management personnel, emergency dispatchers, court personnel, law enforcement and corrections personnel, hazardous materials responders, child protection and child welfare personnel, housing and shelter personnel, military, and other

EXECUTIVE ORDERS

governmental employees working for or to support Essential Businesses and Operations are categorically exempt from this Executive Order.

Essential Government Functions means all services provided by the State or any municipal, township, county, subdivision or agency of government and needed to ensure the continuing operation of the government agencies or to provide for or support the health, safety and welfare of the public, and including contractors performing Essential Government Functions. Each government body shall determine its Essential Governmental Functions and identify employees and/or contractors necessary to the performance of those functions.

This Executive Order does not apply to the United States government. Nothing in this Executive Order shall prohibit any individual from performing or accessing Essential Governmental Functions.

11. **Businesses covered by this Executive Order.** For the purposes of this Executive Order, covered businesses include any for-profit, non-profit, or educational entities, regardless of the nature of the service, the function it performs, or its corporate or entity structure.
12. **Essential Businesses and Operations.** For the purposes of this Executive Order, Essential Businesses and Operations means Healthcare and Public Health Operations, Human Services Operations, Essential Governmental Functions, and Essential Infrastructure, and the following:
 - a. **Stores that sell groceries and medicine.** Grocery stores, pharmacies, certified farmers' markets, farm and produce stands, supermarkets, convenience stores, and other establishments engaged in the retail sale of groceries, canned food, dry goods, frozen foods, fresh fruits and vegetables, pet supplies, fresh meats, fish, and poultry, alcoholic and non-alcoholic beverages, and any other household consumer products (such as cleaning and personal care products). This includes stores that sell groceries, medicine, including medication not requiring a medical prescription, and also that sell other non-grocery products, and products necessary to maintaining the safety, sanitation, and essential operation of residences and Essential Businesses and Operations;
 - b. **Food, beverage, and cannabis production and agriculture.** Food and beverage manufacturing, production, processing, and cultivation, including farming,

¹ On March 19, 2020, the U.S. Department of Homeland Security, Cybersecurity & Infrastructure Security Agency, issued a *Memorandum on Identification of Essential Critical Infrastructure Workers During COVID-19 Response*. The definition of Essential Businesses and Operations in this Order is meant to encompass the workers identified in that Memorandum.

EXECUTIVE ORDERS

livestock, fishing, baking, and other production agriculture, including cultivation, marketing, production, and distribution of animals and goods for consumption; licensed medical and adult use cannabis dispensaries and licensed cannabis cultivation centers; and businesses that provide food, shelter, and other necessities of life for animals, including animal shelters, rescues, shelters, kennels, and adoption facilities;

Organizations that provide charitable and social services. Businesses and religious and secular nonprofit organizations, including food banks, when providing food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, individuals who need assistance as a result of this emergency, and people with disabilities;

- d. **Media. Newspapers, television, radio, and other media services;**
- e. **Gas stations and businesses needed for transportation.** Gas stations and auto-supply, auto-repair, and related facilities and bicycle shops and related facilities;
- f. **Financial institutions.** Banks, currency exchanges, consumer lenders, including but not limited, to payday lenders, pawnbrokers, consumer installment lenders and sales finance lenders, credit unions, appraisers, title companies, financial markets, trading and futures exchanges, affiliates of financial institutions, entities that issue bonds, related financial institutions, and institutions selling financial products;
- g. **Hardware and supply stores.** Hardware stores and businesses that sell electrical, plumbing, and heating material;
- h. **Critical trades.** Building and Construction Tradesmen and Tradeswomen, and other trades including but not limited to plumbers, electricians, exterminators, cleaning and janitorial staff for commercial and governmental properties, security staff, operating engineers, HVAC, painting, moving and relocation services, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences, Essential Activities, and Essential Businesses and Operations;
- i. **Mail, post, shipping, logistics, delivery, and pick-up services.** Post offices and other businesses that provide shipping and delivery services, and businesses that ship or deliver groceries, food, alcoholic and non-alcoholic beverages, goods or services to end users or through commercial channels;

EXECUTIVE ORDERS

- j. **Educational institutions.** Educational institutions—including public and private pre-K-12 schools, colleges, and universities—for purposes of facilitating distance learning, performing critical research, or performing essential functions, provided that social distancing of six-feet per person is maintained to the greatest extent possible. This Executive Order is consistent with and does not amend or supersede Executive Order 2020-05 (COVID-19 Executive Order No. 3) or Executive Order 2020-06 (COVID-19 Executive Order No. 4) except that affected schools are ordered closed through April 7, 2020;
- k. **Laundry services.** Laundromats, dry cleaners, industrial laundry services, and laundry service providers;
- l. **Restaurants for consumption off-premises.** Restaurants and other facilities that prepare and serve food, but only for consumption off-premises, through such means as in-house delivery, third-party delivery, drive-through, curbside pick-up, and carry-out. Schools and other entities that typically provide food services to students or members of the public may continue to do so under this Executive Order on the condition that the food is provided to students or members of the public on a pick-up and takeaway basis only. Schools and other entities that provide food services under this exemption shall not permit the food to be eaten at the site where it is provided, or at any other gathering site due to the virus's propensity to physically impact surfaces and personal property. This Executive Order is consistent with and does not amend or supersede Section 1 of Executive Order 2020-07 (COVID-19 Executive Order No. 5) except that Section 1 is ordered to be extended through April 7, 2020;
- m. **Supplies to work from home.** Businesses that sell, manufacture, or supply products needed for people to work from home;
- n. **Supplies for Essential Businesses and Operations.** Businesses that sell, manufacture, or supply other Essential Businesses and Operations with the support or materials necessary to operate, including computers, audio and video electronics, household appliances; IT and telecommunication equipment; hardware, paint, flat glass; electrical, plumbing and heating material; sanitary equipment; personal hygiene products; food, food additives, ingredients and components; medical and orthopedic equipment; optics and photography equipment; diagnostics, food and beverages, chemicals, soaps and detergent; and firearm and ammunition suppliers and retailers for purposes of safety and security;

EXECUTIVE ORDERS

- o. **Transportation.** Airlines, taxis, transportation network providers (such as Uber and Lyft), vehicle rental services, paratransit, and other private, public, and commercial transportation and logistics providers necessary for Essential Activities and other purposes expressly authorized in this Executive Order;
- p. **Home-based care and services.** Home-based care for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness, including caregivers such as nannies who may travel to the child's home to provide care, and other in-home services including meal delivery;
- q. **Residential facilities and shelters.** Residential facilities and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders, and/or mental illness;
- r. **Professional services.** Professional services, such as legal services, accounting services, insurance services, real estate services (including appraisal and title services);
- s. **Day care centers for employees exempted by this Executive Order.** Day care centers granted an emergency license pursuant to Title 89, Section 407.400 of the Illinois Administrative Code, governing Emergency Day Care Programs for children of employees exempted by this Executive Order to work as permitted. The licensing requirements for day care homes pursuant to Section 4 of the Child Care Act, 225 ILCS 10/4, are hereby suspended for family homes that receive up to 6 children for the duration of the Gubernatorial Disaster Proclamation.
- t. **Manufacture, distribution, and supply chain for critical products and industries.** Manufacturing companies, distributors, and supply chain companies producing and supplying essential products and services in and for industries such as pharmaceutical, technology, biotechnology, healthcare, chemicals and sanitization, waste pickup and disposal, agriculture, food and beverage, transportation, energy, steel and steel products, petroleum and fuel, mining, construction, national defense, communications, as well as products used by other Essential Businesses and Operations.
- u. **Critical labor union functions.** Labor Union essential activities including the administration of health and welfare funds and personnel checking on the well-being and safety of members providing services in Essential Businesses and Operations – provided that these checks should be done by telephone or remotely where possible.

EXECUTIVE ORDERS

- v. **Hotels and motels.** Hotels and motels, to the extent used for lodging and delivery or carry-out food services.
 - w. **Funeral services.** Funeral, mortuary, cremation, burial, cemetery, and related services.
13. **Minimum Basic Operations.** For the purposes of this Executive Order, Minimum Basic Operations include the following, provided that employees comply with Social Distancing Requirements, to the extent possible, while carrying out such operations:
- a. The minimum necessary activities to maintain the value of the business's inventory, preserve the condition of the business's physical plant and equipment, ensure security, process payroll and employee benefits, or for related functions.
 - b. The minimum necessary activities to facilitate employees of the business being able to continue to work remotely from their residences.
14. **Essential Travel.** For the purposes of this Executive Order, Essential Travel includes travel for any of the following purposes. Individuals engaged in any Essential Travel must comply with all Social Distancing Requirements as defined in this Section.
- a. Any travel related to the provision of or access to Essential Activities, Essential Governmental Functions, Essential Businesses and Operations, or Minimum Basic Operations.
 - b. Travel to care for elderly, minors, dependents, persons with disabilities, or other vulnerable persons.
 - c. Travel to or from educational institutions for purposes of receiving materials for distance learning, for receiving meals, and any other related services.
 - d. Travel to return to a place of residence from outside the jurisdiction.
 - e. Travel required by law enforcement or court order, including to transport children pursuant to a custody agreement.
 - f. Travel required for non-residents to return to their place of residence outside the State. Individuals are strongly encouraged to verify that their transportation out of the State remains available and functional prior to commencing such travel.

EXECUTIVE ORDERS

15. **Social Distancing Requirements.** For purposes of this Executive Order, Social Distancing Requirements includes maintaining at least six-foot social distancing from other individuals, washing hands with soap and water for at least twenty seconds as frequently as possible or using hand sanitizer, covering coughs or sneezes (into the sleeve or elbow, not hands), regularly cleaning high-touch surfaces, and not shaking hands.
- a. **Required measures.** Essential Businesses and Operations and businesses engaged in Minimum Basic Operations must take proactive measures to ensure compliance with Social Distancing Requirements, including where possible:
- i. **Designate six-foot distances.** Designating with signage, tape, or by other means six-foot spacing for employees and customers in line to maintain appropriate distance;
 - ii. **Hand sanitizer and sanitizing products.** Having hand sanitizer and sanitizing products readily available for employees and customers;
 - iii. **Separate operating hours for vulnerable populations.** Implementing separate operating hours for elderly and vulnerable customers; and
 - iv. **Online and remote access.** Posting online whether a facility is open and how best to reach the facility and continue services by phone or remotely.
16. **Intent of this Executive Order.** The intent of this Executive Order is to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services to continue, to slow the spread of COVID-19 to the greatest extent possible. When people need to leave their places of residence, whether to perform Essential Activities, or to otherwise facilitate authorized activities necessary for continuity of social and commercial life, they should at all times and as much as reasonably possible comply with Social Distancing Requirements. All provisions of this Executive Order should be interpreted to effectuate this intent.
17. **Enforcement.** This Executive Order may be enforced by State and local law enforcement pursuant to, inter alia, Section 7, Section 18, and Section 19 of the Illinois Emergency Management Agency Act, 20 ILCS 3305.
18. **No limitation on authority.** Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing the State or any county, or local government body from ordering (1) any quarantine or isolation that may require an individual to remain inside a particular residential property or medical facility for a limited period of time, including the duration of this public health emergency, or (2) any closer of a

EXECUTIVE ORDERS

specific location for a limited period of time, including the duration of this public health emergency. Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing a county or local government body to enact provisions that are stricter than those in this Executive Order.

Section 2. Order ceasing evictions.

Pursuant to the Illinois Emergency Management Agency Act, 20 ILCS 3305/7(2), (8), and (10), all state, county, and local law enforcement officers in the State of Illinois are instructed to cease enforcement of orders of eviction for residential premises for the duration of the Gubernatorial Disaster Proclamation. No provision contained in this Executive Order shall be construed as relieving any individual of the obligation to pay rent, to make mortgage payments, or to comply with any other obligation that an individual may have under tenancy or mortgage.

Section 3. Savings clause.

If any provision of this Executive Order or its application to any person or circumstance is held invalid by any court of competent jurisdiction, this invalidity does not affect any other provision or application of this Executive Order, which can be given effect without the invalid provision or application. To achieve this purpose, the provisions of this Executive Order are declared to be severable.

Issued by the Governor March 20, 2020

Filed by the Secretary of State March 20, 2020

2020-11

**EXECUTIVE ORDER IN RESPONSE TO COVID-19
(COVID-19 EXECUTIVE ORDER NO. 9)**

WHEREAS, I, JB Pritzker, Governor of Illinois, declared all counties in the State of Illinois as a disaster area on March 9, 2020 (Gubernatorial Disaster Proclamation) in response to the outbreak of Coronavirus Disease 2019 (COVID-19); and,

WHEREAS, in a short period of time, COVID-19 has rapidly spread throughout Illinois, necessitating updated and more stringent guidance from federal, state, and local public health officials; and,

WHEREAS, for the preservation of public health and safety throughout the entire State of Illinois, and to ensure that our healthcare delivery system is capable of serving those who are sick, I find it necessary to take additional measures consistent with public health guidance to slow and stop the spread of COVID-19; and

EXECUTIVE ORDERS

WHEREAS, I have issued several Executive Orders to address the COVID-19 outbreak, some of which require minor amendments to provide clarification;

WHEREAS, the Illinois Department of Corrections (IDOC) currently has a population of more than 38,000 male and female inmates in 28 facilities, the vast majority of whom, because of their close proximity and contact with each other in housing units and other areas of the facilities, are especially vulnerable to contracting and spreading COVID-19; and

WHEREAS, the IDOC currently has limited housing capacity to isolate and quarantine inmates who present as symptomatic of, or test positive for, COVID-19; and

WHEREAS, pursuant to the Unified Code of Corrections, 730 ILCS 5/3-6-3(a)(3), the Director of the IDOC "may award up to 180 days of earned sentence credit for good conduct in specific instances as the Director deems proper" and eligible individuals "may be selected to receive the credit at the Director's or his or her designee's sole discretion."

WHEREAS, the IDOC must urgently continue its work to prepare for and respond quickly to COVID-19 and, as part of this effort, the Director may need to exercise the discretion provided by the Unified Code of Corrections to release inmates who may legally be released and do not present danger to the community; and

THEREFORE, by the powers vested in me as the Governor of the State of Illinois, and pursuant to Sections 7(1), 7(2), 7(8), and 7(12) of the Illinois Emergency Management Agency Act, 20 ILCS 3305, and consistent with the powers in public health laws, I hereby order the following: Section 1. Executive Order 2020-10, Section 1, Paragraphs 8 and 18 are amended as follows:

8. **Human Services Operations.** For purposes of this Executive Order, individuals may leave their residence to work for or obtain services at any Human Services Operations, including any provider funded by the Illinois Department of Human Services, Illinois Department of Children and Family Services, or Medicaid that is providing services to the public and including state-operated, institutional, or community-based settings providing human services to the public. Human Services Operations includes, but is not limited to: long-term care facilities; all entities licensed pursuant to the Child Care Act, 225 ILCS 10, except for day care centers, day care homes, and group day care homes; ~~and~~ day care centers licensed as specified in Section 1, Paragraph 12(s) of this Executive Order; day programs exempt from licensure under Title 89 of the Illinois Administrative Code, Sections 377.3(a)(1)-(a)(4), (b)(2), and (c); day programs exempt from licensure under Title 89 of the Illinois Administrative Code, Section 377.3(d) (subject to the conditions governing exempt day care homes set forth in Section 1, Paragraph 12(s) of this Executive Order); residential settings and shelters for adults, seniors, children, and/or people with developmental disabilities, intellectual disabilities, substance use disorders,

EXECUTIVE ORDERS

and/or mental illness; transitional facilities; home-based settings to provide services to individuals with physical, intellectual, and/or developmental disabilities, seniors, adults, and children; field offices that provide and help to determine eligibility for basic needs including food, cash assistance, medical coverage, child care, vocational services, rehabilitation services; developmental centers; adoption agencies; businesses that provide food, shelter, and social services, and other necessities of life for economically disadvantaged individuals, individuals with physical, intellectual, and/or developmental disabilities, or otherwise needy individuals.

Human Services Operations shall be construed broadly to avoid any impacts to the delivery of human services, broadly defined.

18. Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing the State or any county, or local government body from ordering (1) any quarantine or isolation that may require an individual to remain inside a particular residential property or medical facility for a limited period of time, including the duration of this public health emergency, or (2) any ~~closure~~ closure of a specific location for a limited period of time, including the duration of this public health emergency. Nothing in this Executive Order shall, in any way, alter or modify any existing legal authority allowing a county or local government body to enact provisions that are stricter than those in this Executive Order.

Section 2: Executive Order 2020-10, Section 1, Paragraph 12(s) is amended as follows:

s. **Day care centers for employees exempted by this Order.** Day care centers granted an emergency license pursuant to Title 89, Section ~~407.400~~ 407.500 of the Illinois Administrative Code, governing Emergency Day Care Programs for children of employees exempted by this Order to work as permitted. The licensing requirements for day care homes pursuant to Section 4 of the Child Care Act, 225 ILCS 10/4, are hereby suspended for family homes that receive up to 6 children for the duration of the Gubernatorial Disaster Proclamation.

Section 3: Executive Order 2020-05, Section 3 is amended as follows:

The requirement pursuant to 105 ILCS 5/10-20.56(b) for Illinois school districts to receive approval by the school board before establishing and maintaining a program for the use of electronic-learning (e-learning) is suspended during the effect of the Gubernatorial Disaster Proclamation. Further, any e-learning program implemented pursuant to this Executive Order need not comply with the requirement to hold a public hearing pursuant to 105 ILCS 5/10-20.56(c) or the requirement to communicate protocol to teachers, staff, and students 30 days prior to implementation pursuant to 105 ILCS 5/10-20.56(d)(10). However, any e-learning program adopted pursuant to this Executive Order must be verified by the regional

EXECUTIVE ORDERS

office of education or intermediate service center for the school district, which must ensure that the specific needs of students are met, including special education students and English learners, as required by 105 ILCS 5/10-20.56(b). Regional offices of education and intermediate service centers are not to deny e-learning plan approvals based solely on the 5 clock hours of instruction or school work required by 105 ILCS 5/10-19.05 so long as the regional offices of education or intermediate service centers determines that the plan provides substantial student learning opportunities, notwithstanding 105 ILCS 10-20.56(d)(1). E-learning programs adopted pursuant to this Executive Order may exceed the number of emergency days in the approved school calendar notwithstanding 105 ILCS 5/10-20.56(b).

Section 4: During the duration of the Gubernatorial Disaster Proclamation, the provision of the Unified Code of Corrections, 730 ILCS 5/3-6-3(a)(5), requiring the Department of Corrections to provide no less than 14 days prior notification to the relevant State's Attorney(s) in the event an inmate receives an earlier release date resulting from earned sentence credit for good conduct, is suspended. In connection with any release pursuant to this provision of the law, the Department of Corrections will take steps to ensure the State's Attorney(s) are notified as far in advance or as quickly as possible.

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ILLINOIS ADMINISTRATIVE CODE

Issue Index - With Effective Dates

Rules acted upon in Volume 44, Issue 14 are listed in the Issues Index by Title number, Part number, Volume and Issue. Inquiries about the Issue Index may be directed to the Administrative Code Division at (217) 782-7017/18.

PROPOSED RULES

89 - 407	.....	5542
23 - 75	.....	5545
89 - 140	.....	5560
23 - 1105	.....	5562
17 - 510	.....	5572
17 - 525	.....	5580
17 - 590	.....	5589
17 - 650	.....	5634
17 - 670	.....	5640
17 - 675	.....	5660
17 - 680	.....	5665
17 - 685	.....	5670
17 - 710	.....	5683
2 - 565	.....	5708
14 - 150	.....	5710
14 - 160	.....	5712
14 - 166	.....	5714
14 - 171	.....	5716
14 - 178	.....	5718
14 - 180	.....	5720
74 - 790	.....	5722
80 - 50	.....	5724
92 - 1001	.....	5726
92 - 1010	.....	5728
92 - 1030	.....	5730
92 - 1100	.....	5732

EMERGENCY RULES

92 - 1030	3/17/2020	5439
89 - 407	3/20/2020	5734
89 - 140	3/20/2020	5745
56 - 220	3/20/2020	5775
2 - 565	3/20/2020	5782
14 - 150	3/20/2020	5786
14 - 160	3/20/2020	5792
14 - 166	3/20/2020	5796
14 - 171	3/19/2020	5800
14 - 178	3/20/2020	5804
14 - 180	3/20/2020	5809
74 - 790	3/20/2020	5815
80 - 50	3/17/2020	5820
92 - 1001	3/17/2020	5824
92 - 1010	3/17/2020	5831

92 - 1100 3/17/2020 5847

**EXECUTIVE ORDERS AND
PROCLAMATIONS**

20 - 8 3/17/2020 5852
20 - 9 3/19/2020 5853
20 - 10 3/20/2020 5857
20 - 11 3/23/2020 5869